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HISTORICAL RECORDS
OF
NEW SOUTH WALES.

HUNTER AND KING.

1800, 1801, 1802.

HISTORICAL RECORDS

OF

NEW SOUTH WALES.

VOL. IV.—HUNTER AND KING.

1800, 1801, 1802.

EDITED BY
F. M. BLADEN,
BARRISTER-AT-LAW.



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PREFACE TO VOL. I.

BY THE LATE ALEXANDER BRITTON.

THE HISTORICAL RECORDS OF NEW SOUTH WALES are published with the object of affording the fullest information obtainable concerning the foundation, progress, and government of the mother colony of Australia. It was with a similar purpose that the publication was commenced, some years ago, of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS. All the material that the Government could command was placed at the disposal of the author of Vol. I—Mr. G. B. Barton—by whom this store of information was largely drawn upon. But when Vol. II of the HISTORY was in course of preparation it was considered desirable to make a change in the plan. It was determined that while the publication of the HISTORY should go on, the Records themselves, with the exception of those that were trivial or formal, should be printed in full, in separate volumes, so that the public might have, on the one hand, a historical work founded on official documents, and on the other, the material upon which the narrative had been based.

The adoption of this course serves a double purpose. In the first place, it enhances the value of the HISTORY, for it enables the reader to turn at any point from the narrative of the writer to the fuller information which the reports and despatches supply. The advantage gained by this treatment of the official papers is obvious. No matter how faithfully a writer of history may

perform his task, he cannot cover all the ground ; no matter how acutely he may criticise the actors who take part in the scenes he describes, he cannot exhibit them in so clear a light as they are shown in their own writings. Thus the publication of the Records may be regarded as desirable from the historical point of view.

In the second place, the printing of the Records gives immediate and lasting public value to State Papers which would otherwise be of service to the few—only those, in fact, who have leisure to search the bulky manuscripts which have been collected by the Government. In the absence of printed records, the inquirer who endeavours to learn in what manner New South Wales was founded—how the settlement was governed in the early days—by what steps it grew—how difficulties were encountered and overcome—what mistakes were made, and how they were corrected—by whom injustice was perpetrated, and in what way retribution fell upon the oppressor—can command no better sources of information than tradition, and the accounts of writers who had to make history from insufficient material. The publication of these Records will place at his disposal the best possible material, and enable him to draw his own conclusions from direct testimony.

It is not entirely a new departure that has been taken. The importance of preserving and reproducing national records is recognised in most civilised countries ; especially in Great Britain. In earlier times, when Ministers of the Crown treated official despatches as their private property, and on quitting office carried to their own houses manuscripts which belonged to the nation, little care was taken of the Records, and such a thing as giving information to the public concerning them does not appear to have had any place in the minds of those in authority. This indifference no longer exists. All public documents are carefully preserved ; inventories of them are taken, and they are accurately described in printed calendars. With a few exceptions, the State Papers of the United Kingdom are gathered together in one place—the Public Record Office, London—and are kept in the custody of the Master of the Rolls, who by the Public Records

Act (1 and 2 Vict., c. 94) is constituted Keeper of the Archives.* These stores of information are not simply hoarded up—they are treated in such a way as to be of general use, and to bring within easy reach of the historian the documentary evidence that he requires. Large volumes, entitled “Calendars of State Papers,” consisting of condensations of the documents in the Public Record Office and elsewhere from the days of Henry VIII to the Eighteenth Century, are in course of publication, while some of the earlier Records are printed in full.

In Canada the Records are scrupulously kept, and their contents disclosed for the information of the public. In 1872 the Dominion Government appointed an Archivist, and founded an Archives Office at Ottawa, where all the public records, with the exception of those retained by the provincial authorities, are stored. The papers consist partly of original documents, and partly of copies of old despatches and other manuscripts transcribed by a staff of writers from originals discovered by the Archivist in the London Record Office and Departments of State, and in the archives of Paris and other European cities. From time to time reports are issued in which the Records are described, and when considered necessary, printed in full. In this manner the public is placed in possession of information of the highest interest and importance relating to the early history of Canada which had never before seen the light.

In New South Wales, owing to the shorter period of time, and the smaller quantity of material to be dealt with, it is possible to do what would be impracticable under other circumstances, that is to say, to publish in full the Records of the Colony from its foundation. It has also been decided to publish all available correspondence concerning Captain Cook and his connection with Australian discovery. The Cook Papers form Part 1 of Vol. I. Part 2 of Vol. I contains the Records relating to the establishment of the Colony and its progress under Governor Phillip.

* With the exception of certain manuscripts in the British Museum and a few public libraries, most of the public muniments of the realm are now placed in one repository, and under the supervision of the Master of the Rolls.—*Encyclopædia Britannica*, ninth edition, vol. xx, p. 313.

When the settlement at Port Jackson was established the chief authority was vested in the Governor, who not only governed the Colony, but administered its affairs. The civil business was conducted nominally by a staff, but much of the work fell upon the Governor, who had to deal with matters which would be settled in the present day by an ordinary clerk. He was also at the head of the naval and military forces, and was the principal, it may almost be said the only, channel of communication between the Colonial Government and the English authorities. The reasons which led the English Government to plant a convict settlement in New South Wales are only briefly indicated in the scanty papers discovered in the State Departments; but when the Colony had been established, its affairs formed the subject of periodical letters from the Governors, who wrote fully about the concerns of the settlement, receiving in reply despatches for their guidance and instruction. Most of this correspondence has been preserved in the English Departments of State, either in the original or in official copies; and is of considerable interest. The despatches are full of information. The Governors were required by their Instructions to keep the Home authorities well informed about matters great and small; and, in the despatches sent to London, almost every transaction that took place is minutely described. More than this, copies of all the Proclamations and Orders, issued by the Governor and the military commander, were forwarded for the information of the English authorities. These documents are recorded with the other State Papers.

The history of the early years of New South Wales is founded mainly upon the despatches sent by the Governors to the authorities in England, and the despatches received by them in reply. The Records are comprised within measurable bounds, and as they are the chief material out of which history must be made, it has been decided to print them as they stand.

This course has been adopted on the recommendation of a Board, consisting of the late Hon. Geoffrey Eagar, Under Secretary for Finance and Trade from 1872 to 1891; Alexander Oliver, M.A., President of the Land Appeal Court, and formerly the Parliamentary Draftsman; Professor G. Arnold Wood, B.A.,

Challis Professor of History at the Sydney University ; and E. C. Walker, Principal Librarian, Public Library. The Board having ascertained the nature of the documents at the disposal of the Government, came to the conclusion that the design with which the publication of the Official History was commenced could not be fully carried out unless the State Papers and other official documents upon which the work was based were made as accessible to the public as the History itself. They therefore recommended, in the month of March, 1891, that the publication of the Records was not only desirable but necessary. The proposal received the approval of the then Colonial Treasurer, the Hon. William McMillan, who gave the necessary authority to carry out the work, on the lines recommended by the Board. Arrangements were made, accordingly, for printing and publishing the despatches, reports, letters and other papers which had been collected.

While the best use has been made of the material at command, the Records of the early days of the Colony cannot be presented in an absolutely complete form. Every paper of consequence that has been discovered, or may be discovered hereafter, will be published ; but unfortunately manuscripts of great interest and importance, which are known to have existed, cannot now be found. The most valuable of the early Records are the despatches sent to England by the Governors, and the despatches received by the Governors from the authorities in London. At Government House, Sydney, there are a number of letter-books containing copies of the despatches sent to England, and the original despatches received from the Home authorities ; but these Records, instead of going back to 1788, the year in which New South Wales was founded, begin with 1800. Of the despatches received and sent before that date, during the Governorships of Phillip and Hunter, and the Lieutenant-Governorships of Grose and Paterson, there is no trace. What has become of them it is impossible to say. A hundred years ago State Papers were not so carefully guarded as they are now ; the English system was loose, and it would have been surprising if greater care had been taken in Sydney than in London. Some of the early Australian Governors

may have taken their papers with them when they left office. On that supposition the disappearance of the despatches from 1788 to 1800 is readily explained ; but even then the whole case is not met, for public Records of which the Governors were not the custodians are also missing.

There are circumstances, however, which discourage the view that Governors' despatches in the early days were treated as the property of those to whom they were sent. It is certain that they were not so treated by Governor King, and there seems to be no reason why Phillip and Hunter, Grose and Paterson, should have followed a different practice. We have the means of knowing exactly the course pursued by Hunter's immediate successor. The Hon. Philip Gidley King, M.L.C., has placed at the disposal of the Government the books and papers left by his grandfather, Governor King ; but, while these manuscripts include copies of most, if not all, of the despatches received by King from the English Ministers and Under-Secretaries of State, no originals are to be found. The despatches have been copied into letter-books, some by King himself, some by his secretary ; but, while many unofficial letters to King are among the papers, the originals of the Home despatches are wanting. The inference is plain. If King had at any time regarded the English despatches as his own property, he would not have gone to the trouble of copying them, and the originals would have been found among his papers. He was exceedingly careful about his correspondence, preserving communications of all kinds, whether trivial or important, but duplicating nothing. When an original document is met with there is no copy. And the manuscripts at Government House show that when King relinquished the government he left the originals of the English despatches in the office. If in doing so he acted in accordance with the recognised practice, the presumption is that his predecessors—Governors Phillip and Hunter, and Lieutenant-Governors Grose and Paterson—treated in the same way the despatches received by them.

What then has become of these manuscripts ? Most probably they have been destroyed ; but by whom, or with what object, can only be conjectured. That the missing despatches met with

this fate is the more likely from the fact previously stated—that public Records of corresponding dates, for which the Governors were not responsible, have also disappeared. A strong-room in the Colonial Secretary's Office, Sydney, contains all the original Records of New South Wales that can be found in the Colony. These papers have been examined and scheduled, and it may be seen at a glance of what they consist. They begin with a General Order, dated 7th August, 1789, "Instructions to the Night Watch." Two other Orders of no particular importance follow, and these are all out of the many hundreds issued during Phillip's Governorship that appear to have been preserved. There is only one official paper of the time in which Lieutenant-Governor Grose ruled—December, 1792, to December, 1794; and none whatever belonging to the administration of Lieutenant-Governor Paterson—December, 1794, to September, 1795. Hunter's Governorship, which covered more than five years—11th September, 1795, to 27th September, 1800—is represented by one book containing copies of the Orders made from September, 1795, to December, 1797, and five or six papers of minor importance. Papers belonging to the King period, 1800 to 1806, are more numerous; but the Records are scanty and intermittent until the term of Governor Macquarie is reached—January, 1810. No despatches to or from any of the Governors or Lieutenant-Governors have been preserved in this Office. The only manuscripts of this class in Sydney are preserved at Government House.

The Records, so far as Sydney is concerned, are thus defective in two respects. In the first place, the despatches from the foundation of the Colony up to the beginning of 1800 are wanting; in the second place, the Orders, Proclamations, and other official papers showing how authority was exercised in the early days are found only in fragments—in fact, they can scarcely be said to exist.

But for the active search made in London by Mr. James Bonwick, F.R.G.S., the early Records of New South Wales would have been little better than a blank. The despatches sent to England by the Governors, as well as the despatches and letters transmitted to them, have been preserved, if not as

completely as could have been wished, yet to a very large extent, in the Departments of State. These departments have been thrown open to the Government, and the transcriptions that have been made repair, so far as it can be repaired, the loss of the early Colonial Records.

The examination of these valuable sources of information was commenced in April, 1887, when the then Colonial Secretary, Sir Henry Parkes, through the Agent-General, authorized Mr. Bonwick to make copies of certain despatches which he had discovered. In the following year, in view of the publication of the *HISTORY OF NEW SOUTH WALES FROM THE RECORDS*, authority was given for the transcription of documents relating to the period during which Governor Phillip was at the head of affairs, *i.e.* 1788–1792. The information obtained in this way proved so interesting and valuable that Mr. Bonwick was instructed to continue his researches among the early Records of the Colony, and the work has since gone on without interruption. The manuscript Records were not readily accessible; they had to be gathered from many departments. The Governors in the early days were not only responsible to the Home Office, but, as naval officers, they also owed allegiance to the Admiralty, consequently they had to correspond with the Home Secretary and the Lords Commissioners of the Admiralty, and with the Under-Secretaries of those departments. Each department and sub-department kept two letter-books, one for the Minister and the other for the Under-Secretary, so that it was necessary to examine four different sources of information for the purpose of discovering what had passed between the Governors and the English authorities.

In dealing with the Records belonging to a still earlier period—that in which the establishment of a settlement in New South Wales was discussed—the ground to be covered was wider still, though not so productive. In making preparations for the despatch of the First Fleet many departments and sub-departments were engaged—the Home Office, which had general direction of the business; the Admiralty, which undertook the equipment and officering of the ships, and the appointment of the force of marines which guarded the transports and formed the garrison at Port

Jackson ; the Treasury, which made the financial arrangements ; the Transport Office, which had to do with the convict-ships ; and the Victualling Department, which provisioned the fleet. When the marines were replaced by the special corps raised by Major Grose, known afterwards as the New South Wales Corps, another Department of State, that of War, was brought into operation ; and, accordingly, correspondence between that Department and the Home Office, and between the officials at the War Office and the officers of the Corps, took its place amongst the Records. Three of the transports which, with the warship *Sirius* and its tender the *Supply*, constituted the First Fleet, were under charter to the East India Company to take cargoes of tea from China to London, after landing convicts and stores at Port Jackson ; and, at a subsequent stage, the Company, in its opposition to Australian trade with the East, figured largely in the official correspondence relating to New South Wales. The Records of the India Office are therefore another source of information.

The transcripts which have been despatched to Sydney are thus gathered from a wide field, embracing as it does the Public Record Office, the British Museum, the Home Office, the Colonial Office, the War Office, the Privy Council Office, the Admiralty, the India Office, and Somerset House. The documents had to be searched for, and the work was not without difficulty, owing to the imperfect and unsystematic way in which official records were kept in the early days. Some documents—the earlier Orders and Proclamations, for example—cannot be found at all ; others, which were believed to be missing, such as the Commissions of the early Governors, have been discovered in the Home Office, after a patient search, in which valuable assistance was given by the officers of the department. A number of the despatches copied by the transcribers in London escaped notice in the first instance because they had been placed amongst papers relating to the American colonies.

While the principal storehouse of facts concerning the early days of the Colony is the Public Record Office and the Departments of State in London, information has been obtained from other sources. Six years ago the Agent-General, Sir Saul

Samuel, acting under instructions from the Government at Sydney, purchased from Lord Brabourne a valuable collection of papers relating to the settlement of New South Wales. They were once known as "The Brabourne Papers"; they are now known as "The Banks Papers." The grandfather of the present Lord Brabourne was related to Sir Joseph Banks, and, in that way, the papers came into the possession of the Brabourne family. Sir Joseph Banks, as pointed out in Vol. I of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS, took an active part in the consultations and negotiations which led to the settlement of the Colony; and there can be no doubt that his representations, founded upon what he saw of the country during his visit to Botany Bay with Captain Cook in the Endeavour, did a great deal towards bringing about the settlement of New South Wales. After the Colony had been established he watched its fortunes with a parental eye, and the deep interest which he took in its welfare is shown by the correspondence that has come, through Lord Brabourne, into the possession of the Government of New South Wales. These manuscripts are apparently only a part of the papers that Sir Joseph kept with regard to this Colony. The "Banks Papers" were discovered by accident in Sir Joseph Banks's old house in Soho Square, but these manuscripts are only a portion of the correspondence which Sir Joseph had with English Ministers, and with Australian Governors, settlers, and explorers. Many of his manuscripts relating to Australian affairs have been lost or destroyed. The papers begin with four letters from Captain Cook (originals), and go up to 1814, six years before Sir Joseph's death. The absence of letters to or from Phillip, with whom Sir Joseph Banks corresponded, the fact that there are no manuscripts of later date than 1814, and other considerations, indicate that the collection, precious as it is, is only the remnant of a large store of papers relating to the foundation and settlement of New South Wales.

The manuscripts of Governor King, referred to on page x, which have been lent to the Government by the Hon. Philip Gidley King, M.L.C., are extensive and important. They consist of a Journal, in two volumes, kept partly on board the

Sirius* on the voyage from England to Botany Bay with the First Fleet of Transports, and partly at Norfolk Island, where King acted as Commandant and Superintendent from March, 1788, to March, 1790, under a Commission issued by Phillip as Governor of New South Wales and its Dependencies; a letter-book, containing copies of despatches received and sent both during King's term as Commandant and during his subsequent command as Lieutenant-Governor, under Commission from the Crown, from November, 1791, to October, 1796; four letter-books, kept during his term as Governor of New South Wales, from September, 1800, to August, 1806; and original letters and despatches, extending from 1799 to 1811. It should be pointed out with regard to the despatches recorded in the letter-books that King during his first term at Norfolk Island corresponded with Governor Phillip, from whom he derived his authority; while during his Lieutenant-Governorship at Norfolk Island and his Governorship at Sydney he was in direct communication with the Home Office and other Departments of State in England. While acting as Lieutenant-Governor of Norfolk Island, from November, 1791, to October, 1796, King wrote a Second Journal, a copy of which is amongst the transcripts sent from England to the Government in Sydney.

As the papers given in these volumes form the basis of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS, which is published concurrently, they are presented without comment, and without any attempt to explain the story they tell. The proper place for description, analysis, and comment is the History itself. The Records are given here as they were found, and they speak for themselves. Where it has been considered necessary to explain the relation of papers to each other, or to give information concerning persons and places, as an aid to the reader in studying the Records, the Editor has written the necessary notes, which are printed at the foot of the page, but no alteration of the text has been made in any case. Errors of composition and spelling are allowed to go without correction; in a word, the Records as printed are literal transcripts of the originals. This is the plan

* King came out to New South Wales as Second Lieutenant of the Sirius.

now generally adopted in the reproduction of manuscripts; indeed no other course could be pursued without mutilating the originals. The papers are arranged in chronological order, except where a despatch of a given date contains enclosures of earlier dates; and a comprehensive Index is given with each volume.

It will be noticed in examining the Records from 1783 to 1789 that duplicates are given of some of the documents printed in Vol. I of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS. It was impossible to avoid this repetition. The Records stand by themselves, and they must be given intact. For this reason, the documents published in Vol. I of the History have been reprinted; in future issues, however, repetitions will not occur. In the Historical Records will be found the full text of the papers; in the History they will be digested and explained. The writer of Vol. I made such use of the manuscripts as the space at his disposal allowed; the broader plan now adopted gives the facts in one set of volumes and the historical narrative in another. In this way the full Records will appear in print, while the History will not be burdened by long extracts and quotations. It is believed that by the adoption of this course the convenience of the reader will be consulted, and the object which the Government has in view carried into effect.

ALEXANDER BRITTON.

VOL. IV.

INTRODUCTION.

THE system adopted of closing a volume of these "Records" with the State Papers pertaining to a particular year, did not allow of Governor Hunter's administration being finally dealt with in vol. iii; consequently the first 165 pages of this volume deal principally with events which happened before his successor, Governor King, took charge.

During the first four months of the year 1800 (with which this volume opens), Governor Hunter was not aware that Lieutenant-Governor Philip Gidley King was on his way to the colony, charged with a despatch severely censuring him (Hunter) for his administration generally, and ending by ordering him to return to England by the first safe conveyance. That letter Hunter received on 16th April, 1800; but it was not until 28th September following that he embarked on board H.M.S. Buffalo and resigned the Governorship to King. The recall of Hunter, and the charges on which that recall was founded, have already been dealt with in vol. iii.

It can hardly be said that Hunter, whatever his faults, deserved the severe treatment which he received at the hands of the authorities at Whitehall. On the 26th February, 1799,* the Secretary of State wrote to him, stating that certain charges had been made against him, anonymously, and urging upon him the duty and necessity of satisfying the Government that those charges were false. This letter reached Hunter in November, 1799, and he replied to it at once.† The Government in making this request were apparently not sincere, for long before Hunter had had time to reply, the letter of 5th November, 1799,‡ ordering him Home, had been written. Unconscious that this letter was

* Vol. iii, p. 636.

† Ib., p. 741.

‡ Ib., p. 733.

on its way, Hunter devoted himself to a defence of his conduct as Governor. One of the first of these letters in vindication of his conduct will be found in the opening pages of this volume.* Although somewhat vehement in tone, it is a valuable contribution to the history of the period. In it Hunter declared that he had been "infamously traduced;" he had "no one private object or concern whatever, which could, for a moment, withdraw my attention from the public service."† He appears to have suspected the quarter from whence the anonymous charges emanated, for he wrote:—

"Let those even whose conduct have compelled me, as a duty I owed to His Majesty's service, to complain to your Grace appear openly and fairly, and attempt to show in the most trifling degree any one act of mine at which I ought to blush, and they will find me prepared to meet them. Let my conduct and character as an honest and conscientious man, professing to possess that integrity which will be acknowledged an essential point in the character of an officer, be thoroughly examined and confirmed, or let my deviation from the sacred paths of truth and justice, from honor and every virtuous principle, be made known to the world; when your Grace shall appear satisfied in either the one or the other, I shall feel myself at liberty, if I receive His Majesty's permission, to quit a colony in which I have had more to struggle with than any consideration upon earth but a thorough attachment to the public service could have induced me to have undertaken had I known what it really was."‡

Although he did not know that the Government had decided upon superseding him, he was evidently conscious that it was necessary for him to urge every point he could in vindication of his conduct:—

"I am, my Lord, a very plain man, bred to the honorable and respectable profession of a seaman in His Majesty's Navy, in which my best endeavours, wherever I have serv'd, have been exerted in that service, and my life occasionally ventur'd. I claim not the support of superior interest upon any occasion whatever, my Lord I rest wholly and firmly upon the solid basis of my own zeal and integrity as an officer of some rank, and I am well satisfy'd I cannot have with your Grace a more powerful advocate, or more welcome recommendation than such qualities are. Yet, my Lord, in these days, when every species of deceit is in

* Post, p. 9.

† Ib.

‡ Ib., p. 10.

practice where found convenient or usefull in answering certain ends—when falsehood and misrepresentation has become the unfortunate fashion of the time—what character can be safe? ”*

He was mortified to think that the circumstances of the Colony were not understood at Home; and declared† that they would not be until some “well-qualified persons” were sent out to hold an investigation. He returned to this subject in June, 1801, after his arrival in England, urging the Duke of Portland to hold an inquiry—

“in order that my reputation as an honest man, my integrity as an officer in His Majesty’s service, may receive that justice which the wretched attempts made to disgrace it renders necessary; and that those attempts may be clearly seen into, as well as that I may understand from facts who the calumniators of my character have been—a character which I presume to say was never (untill I held an office which was coveted by others who probably possess’d more interest) in the most distant degree even suspected of anything either mean, dishonorable, or disgracefull.”‡

It is impossible to read the records of this period without coming to the conclusion that Hunter, although an honest, upright man, was sadly wanting in firmness. King, in a private letter to Banks,§ informed him that Hunter was regarded by the whole colony as an honest man, but that he had placed too much reliance on men who had “tricked and deceived him in every instance.” In another private letter,|| addressed to Under-Secretary King, the Governor repeated his belief in the integrity of Hunter, adding that he had been made a tool of, and had been “sadly duped and deceived” by artful and designing friends.

Perhaps the greatest proof of Hunter’s somewhat weak and pliant disposition is to be found in his unwillingness to give effect to those Instructions from Whitehall which clashed with the interests of the principal colonists, especially the officers. Year after year he refrained from limiting the officers to two convict servants;¶ and it was not until King’s arrival that the Secretary of State’s orders were strictly enforced. Immediately upon taking charge Governor King insisted on the officers, civil and military, abandoning all traffic—as, indeed, they had been

* Post, p. 11.
§ Ib., p. 205.

† Ib., p. 19.
|| Ib., p. 613.

‡ Ib., p. 395.
¶ Vol. iii, p. 384.

ordered to do years before. This produced a reply* from two members of the civil staff (Messrs. D'Arcy Wentworth and William Balmain), to the effect that they had on hand a quantity of spirits, tea, and soft goods which they had bought before King had made known "His Majesty's pleasure on this head." Although Hunter had been instructed on more than one occasion to stop all traffic by officers, particularly in spirits, these two gentlemen appear to have been carrying on a very lucrative trade in the most open manner, and professed themselves ignorant of any orders to the contrary.

A remarkable instance of Hunter's inability to cope with the difficulties of his position arose in January, 1800. On the 11th of that month a vessel entered Port Jackson, freighted with spirits, wine, and general merchandise. The vessel, it appears, had been chartered by the officers, civil and military, without the Governor's knowledge. We may reasonably conclude, from Hunter's account of the affair, that his first design was to refuse to allow the goods to be landed, particularly the spirits (9,106 gallons); but on the officers pointing out to him the advantage of the project, as compared with purchasing from "adventurers," he gave way, informing the Duke of Portland that he allowed the spirits to be landed by the officers "for the benefit of their respective farms,"† i.e., to pay the wages of their farm labourers. He admitted that in so doing he gave colour to the charges which had been made against him, anonymously, but pleaded that he was unable to prevent the spirits being landed, as he had not enough officers to enforce his commands; in fact, more than once he admitted that he was powerless to stop the enormous importation of spirits, as they would in that case be smuggled into the settlement in spite of him.

The letters published in this volume show that Sir Joseph Banks did not allow his interest in the colony to wane. Disappointed in his efforts to equip a party for the exploration of the coast and interior of "New Holland" under the celebrated traveller, Mungo Park,‡ he turned his attention to a rising young lieutenant in the Royal Navy who had already distinguished

* Post, p. 141.

† *Ib.*, p. 17.

‡ Vol. iii, p. 333.

himself in the navigation of the coasts of Van Diemen's Land, and who then had in hand, ready for publication, an account of the first circumnavigation of that island. In Matthew Flinders, Banks was particularly fortunate: young and enthusiastic, an experienced commander, an accomplished navigator, skilled in the science of nautical astronomy, and gifted, like Captain Cook, with phenomenal assiduity and an apparently inexhaustible fund of energy, he amply justified Banks's choice.

"My greatest ambition," he informed Banks, "is to make such a minute investigation of this extensive and very interesting country that no person shall have occasion to come after me to make further discoveries."*

Not only did Banks interest himself in the appointment of Flinders, but he took upon himself, at the request of the British Government, the whole arrangements of the expedition—from the appointment of the scientists to the stowing of the hold. Amongst the original documents purchased from Lord Brabourne, and known as the "Banks Papers," is the following interesting memo. in the handwriting of Sir Joseph Banks:—

"Is my proposal for an alteration in the undertaking in the Investigator approved."—J. B.

The reply scribbled at the foot, in the handwriting of the Secretary to the Admiralty, indicates how much the Government relied upon Sir Joseph. It ran as follows:—

"Any proposal you may make will be approved. The whole is left entirely to your decision."

A fac simile of this interesting scrap of paper will be found facing p. 348.

In the general conduct of Colonial affairs Banks continued the Ministry's confidant and adviser, whatever change occurred in the *personnel* of the Government. The Right Honorable C. F. Greville, writing to the eminent botanist Robert Brown, informed him that—

"the confinement of Sir Joseph Banks to his bed for this month past has prevented him from setting the new Department of State to which the Colonies are—since Mr. Addington's administration—allotted, to work."[†]

* Post, p. 353.

† Ib., p. 677.

Governor King did not fail to keep Banks posted concerning his conduct as Governor, and the condition of the settlement under his charge. With his despatches he generally forwarded to London private letters to Banks, couched in the familiar language of friendship. In these he frequently refers to his official correspondence, to which he evidently knew Banks would have free access. In one of his letters he assured Banks that—

“it is my only study to merit your approbation, and as for others, I am callous to what those about me say and think.”*

Banks’s letters to King have unfortunately been lost, but the Governor frequently mentions them, and evidence is not wanting that the two men were constant and confidential correspondents—in fact, it is not improbable that King owed his appointment as Governor to the influence of Sir Joseph.

The major part of the Records published in this volume relates to Governor Philip Gidley King. Shortly after his return to England in 1797, he appears to have been inclined to resign his civil appointment as Lieutenant-Governor, and throw himself upon the Admiralty. If he could get employment in the Navy, commensurate with his rank, he would be satisfied; if not, he informed Sir Joseph Banks, “I must go into Wales or Cornwall and take up my spade.”† Banks, however, seems to have had a high opinion of King, and in May, 1798, procured him a dormant commission as Governor in the event of Hunter’s death or absence. King was delayed in England until November, 1799, and when he sailed he did so practically as Governor, for he carried out orders to Hunter to return at once and hand over the Government to him.

When Governor King arrived it was in a capacity least likely to lead to pacific relations with the leading colonists. In a private letter to Sir Joseph Banks he thus alludes to his relations with some of the principal colonists:—

“Believe me, my dear sir, that my situation here is not a very pleasant one. The obnoxious character of a reformer is not calculated to appear often on the theatre of this world. I have had the most flagrant and dishonorable abuses to do away; and I have succeeded, but at the expense of being hated by those whose interest has been hurt at these regulations.”‡

* Post, p. 783.

† Vol. iii, p. 302.

‡ Post, p. 846.

In another letter to Sir Joseph he wrote :—

"There are two things which set me much at variance with those about me—first, my determination that the public shall not be cheated; and next, that the King's authority shall not be insulted."

* * * * *

"The former systems of monopoly and extortion I hope are now eradicated. Of spirits I think the inundation is going off, and industry begins to know her produce will not be sacrificed to the infamous wretches that have preyed on the vitals of this colony."*

He also addressed a number of private letters to the Under-Secretary of the Home Department (John King), in one of which he thus refers to the difficulties which confronted him at the outset :—

"Situated as this colony was when I took the command, every step I took clashed so much with the interest of trading individuals, both commissioned as well as non-commissioned, that all set their wits to work, not only to thwart my exertions but also to use every measure that art, cunning, and fraud could suggest to impede my efforts."†

It may be remembered that in March, 1799,‡ Colonel Paterson, then in England, was ordered to rejoin his Corps at once, and put an immediate stop to officers engaging in trade, especially trafficking in spirits.

"I," wrote King, "was soon after despatched in a whaler on the most unpopular errand—to supercede the then Governor, put a stop to officers trading and dealing in spirituous liquors, destroy the oppressive monopolies that had so long existed, and to make a total reform in the expensive and dishonourable plans which had prevailed so long."§

Before he entered upon the duties of his office King came into violent conflict with Governor Hunter. Championing the cause of those settlers whose farms were heavily mortgaged, he entreated the Governor to put a stop to what he termed "the oppression of the infamous traders."|| Seventy writs were, he said, in course of preparation against settlers at the Hawkesbury alone, for debts which had originated in the rapacity of individuals and the exorbitant prices charged for spirits (then one of the principal means of exchange). He suggested to Hunter the propriety of

* Post, p. 783. † Ib., p. 613. ‡ Vol. iii, p. 639.

§ Post, p. 893. || Ib., p. 167.

confining these "assassins of public liberty and destroyers of individual industry" to a profit of 100 per cent.* Hunter, in reply,† doubted the accuracy of King's information, and declared that nothing could be done; that the creditors could not be deprived of their legal rights; and that King had not been long enough in the colony to be able to form a correct opinion. Somewhat nettled by this, King replied that he had no desire to see the Courts of Justice closed against just claimants, but that as soon as he obtained control he would take care that the forms of law were not made use of to entrap the unwary; he declared that the extortions of the "commissioned or other dealers" had filled the Criminal Courts with culprits; that forgeries and robberies were being hourly perpetrated; that families were falling on the public stores for support; that money had lost its value; and that the existence of these and many other evils was traceable to the "quantity of spirits with which this place is now inundated."‡ Hunter saw in this letter nothing but "an aggravation of those indirect insults which I have experienced since your arrival," insults which he was not disposed, as a "publick officer or private person," to submit to. He declared that King had conspicuously manifested an indelicate impatience to possess his office, and that his conduct since his arrival had not only affected his "authority and respectability as the Governor," but had been "injurious to my character as an officer and a man."§ King replied in a calm and dispassionate letter. He had no desire to displace Hunter, and regretted that his zeal should be construed into an insult. Whatever he had done had been with Hunter's full knowledge and concurrence; and he assured him that "no person breathing has a higher sense of your many virtues than myself."|| Hunter, however, was not pacified. The circumstances of his recall still rankled in his breast, and he replied that King had appeared to be desirous of creating an impression on the mind of the Secretary of State—

"disadvantageous to my character as a faithful and obedient officer, and to stamp the impression of an opposite opinion in favour of your own."¶

* Post, p. 166.

† Ib., p. 169.

‡ Ib., p. 170.

§ Ib., p. 171.

|| Ib., p. 174.

¶ Ib., p. 176.

In reply, King protested that he had been prompted purely by a sense of duty, and had no desire to affront Hunter, or lessen his authority. The charge of misrepresenting Hunter to the Secretary of State he warmly resented :—

“The inuendoes and direct allusions in the 4th paragraph of your letter, I cannot but consider as a marked insult on my character, and as devoid of truth as they are unmerited. You may or may not choose to be convinced that the reasons of your present removal are such as I presume have been explained to you in your despatches. Any interference of mine has been directed to rescue your integrity from the imputation cast upon it by the writer of the anonymous letter you possess.”*

With a curt note from Hunter, refusing to continue the correspondence, the letters close; and it was not until Hunter was on the point of sailing for England that friendly relations were restored.

Before he had been a year in office King found, as Hunter had done before him, that his office was not a sinecure. In a private letter to the Under-Secretary of the Home Office he wrote, in August, 1801 :—

“I have not a wish to remain here beyond the time when my services may be judged necessary. If my conduct is approved I hope not to remain for a longer time than five years from my first arrival, for which period my quiet, health, and every valuable consideration in life shall be sacrificed to my duty, and then I shall return a poor man.”†

Three months afterwards, in another letter to the Under-Secretary, marked “Private,” he recurs to this subject :—

“If the measures I have adopted and am pursuing should be approved, it will be my duty to sacrifice everything that is comfortable to myself for the furtherance of what I have undertaken; but if the contrary should be the case, I hope a more eligible person will be sent out, as I have not the most distant wish to remain here an hour beyond the time my services are approved of, and until then I shall persevere in the path I have ever followed, notwithstanding I stand alone and goaded by the artifice of thieves and the duplicity of the tools I have to govern.”‡

Even the minor details of government appear to have received his personal attention. He assured the Duke of Portland that not a nail was issued from the store but by his written order—

“Nor can the affairs of the colony be transacted in any other manner than by the Governor’s immediate direction and control in every and the most minute public transaction.”§

* Post, p. 177.

† *Ib.*, p. 502.

‡ *Ib.*, p. 614.

§ *Ib.*, p. 715.

So constant were the demands on his time that it became necessary for him to notify in Public Orders that—

“No applications are in future to be made to the Governor on Sundays, nor will he be interrupted when passing through the streets or speaking to an officer.”*

So far as the records published in this volume throw any light upon the character and capacity of Governor King, they show him as a man of singular force of character, prone perhaps to take unnecessary alarm at any fancied invasion of his authority, but zealous, able, and indefatigable in the discharge of the onerous and thankless duties of his office. Not even his greatest enemies cast the faintest reflection on his integrity, or hinted that he ever took advantage of the unlimited powers confided to him or the abundant opportunities he possessed of enriching himself. His invariable rule appears to have been, whenever the public interest was at stake, to allow neither the desire to please his friends nor the fear of irritating his enemies to warp his judgment or hamper his movements.

“In the paths of duty and rectitude I shall invariably walk and leave the rest to Providence and the wisdom of my superiors.”†

It must have been with great satisfaction he received the warm and emphatic approval of the Home Office. Lord Hobart, in his letter of 30th January, 1802,‡ endorsed everything he had done. It was not often, if we can form any judgment from the despatches published in previous volumes of these Records, that the authorities at Whitehall were so lavish of praise.

When he arrived in the colony, King was possessed of neither Commission nor Instructions. Apparently, beyond the letter of the Duke of Portland to Governor Hunter, ordering him to hand over the Government to King, the latter had no credentials whatever. This, however, seems to have helped rather than hampered him, for he immediately applied to Hunter for a copy of his Instructions, and, bearing in mind the verbal directions of the Under-Secretary of the Home Department, he applied himself to the very novel, but exceedingly effective, expedient of framing his own Royal Instructions.§ On the 26th June, 1800, three months before

* Post, p. 293.

† King to Banks, post, p. 846.

‡ Post, p. 683.

§ Ib., pp. 183, 199, 203, 613.

he assumed the government, and while lodging with Lieutenant-Colonel Paterson, we find him quoting to Foveaux, then about to embark for Norfolk Island, long paragraphs from what he terms "His Majesty's commands" and "His Majesty's Instructions,"* whereas no such document existed. Again, on the 8th September, 1800, he requested Lieutenant-Colonel Paterson to convene a meeting of the officers, civil and military, and communicate to them the "following article of His Majesty's Instructions."† He then quotes one of the paragraphs of his home-made Instructions which he had recited to Foveaux. In a private letter to Under-Secretary King, written some months afterwards, King admitted that he had acted throughout "without a single written instruction, except the copy of the King's Instructions left by Governor Hunter, which were very unequal to meet a hundredth part of the excesses I wanted to remove."‡ Unfortunately a complete copy of King's self-imposed instructions has not been preserved—indeed, it is probable that he only resorted to the expedient when occasion required. Such clauses, however, as have survived §—notably that concerning officers engaging in trade—were singularly effective. It is remarkable that although Hunter had complained time after time that officers insisted in engaging in trade, and that he was powerless to prevent them, yet King should effect the reform by a single stroke of his pen.

King's Commission and Instructions were not made out until February, 1802; so that for more than two years he held office by virtue of his dormant commission of 1st May, 1798.||

Governor King was not more fortunate in his relations with the military than was Governor Phillip—with this addition, however, that while the officers of marines did not actively sympathise with Major Ross in his conflict with Governor Phillip, quite a number of the officers in the New South Wales Corps were at one time or another hostile to Governor King. In his letter to the Duke of Portland of 1st March, 1802, King, after remarking upon the orderly behaviour of the convicts, wrote :—

"I wish I could say as much of some of the officers of the New South Wales Corps, who, having first attempted to set their Commanding

* Post, pp. 100 and 101. † Ib., p. 139. ‡ Ib., p. 813.
§ Ib., pp. 100, 101, 102, 139, and 140. || Vol. iii, p. 381.

Officer and myself at variance, and having failed in that have occasioned much trouble and vexation to that officer as well as myself.”*

In his military letter of the same date he complains of “vexatious and unwarrantable treatment from Ensign Bayly and the officers, who are the partisans of Captain Macarthur.”† These remarks were emphasised by his assurance that the utmost order and regularity had uniformly prevailed amongst the remainder of the officers, the non-commissioned officers, and privates of the Corps—a statement in strong contrast to Hunter’s complaints, that, in spite of the excellency of their officers, many of the privates of the Corps were worse than the convicts they had to guard.‡

The Corps had, however, an enthusiastic advocate in Lieutenant-Colonel Paterson. In a private letter to Under-Secretary Sullivan, dated 12th November, 1802,§ he assured him that although the Governor had treated the military with great contempt, giving Colonial rank of lieutenant to “a person who is under the sentence of the law,” and appointing convicts as his body guard, allowing them to parade the streets in military dress, yet the peace of the regiment had not been disturbed :—

“And I may say, with confidence, there are few troops that would have bore with equal steadiness the repeated insults that both officers and men have met with of late from His Excellency Governor King.

“I can assure you there is not a regiment in His Majesty’s service in a better state of discipline than the New South Wales Corps.”||

A considerable amount of information will be found in this volume concerning Captain John Macarthur, one of the most remarkable characters to be met with in the annals of New South Wales. During the period which intervened between the arrival of King and the departure of Hunter, Macarthur appears to have refrained from taking any prominent, active part in the public affairs of the settlement. Two days, however, after King had officially taken over the government from Hunter, we find Macarthur offering to sell to the Crown all his live stock, in consequence of his determination to return to England, as soon as

* Post p. 717. † *Ib.*, p. 726. ‡ Vol. iii, p. 65.

§ Post, p. 902. || *Ib.*, p. 903.

he could obtain leave. He asked £4,000 for the cattle, sheep, and horses, and as an inducement to the Government he offered to throw in his farm :—

“contiguous to the town of Parramatta, on which is a good brick dwelling-house and other convenient buildings, with near three hundred acres of cleared land, well fenced in ; also his grass farm, consisting of one thousand acres, one hundred acres of which is cleared, and has on it large and roomy sheds and buildings for protecting the stock, all newly built.”*

There is nothing in the Records to indicate whether Macarthur proposed to quit the colony permanently or only for a period, nor is it known whether the stringent regulations promulgated by King had anything to do with his desire to relinquish his pastoral and agricultural pursuits. The Governor, anxious to encourage the breeding of live stock, and so dispense with the necessity of importing salt pork and beef, recommended the acceptance of Macarthur's offer ; but the Duke of Portland, who seems to have been averse to the purchase, replied that it ought, in any case, to be confined to the English cattle and the Spanish sheep, and gave it as his opinion that—

“Considering Captain McArthur in the capacity of an officer on duty with his regiment, I can by no means account for his being a farmer to the extent he appears to be, and I must highly disapprove of the Commanding Officer of the Corps to which he belongs allowing him, or any other officer, to continue in such contradictory situations and characters.”†

This was supplemented by a letter from His Royal Highness the Commander-in-Chief of the British Army, “positively commanding that the officers be not permitted on any account whatever to engage in the cultivation of farms, or in any occupations that are to detach them from their military duties.”‡

These orders of the War Office seem to have been very little heeded by Paterson, for we find that at the end of the year 1802 Macarthur held 3,950 acres of land (3,630 of which he had purchased from settlers) and owned 2,750 sheep§ ; in fact, he was then by far the principal landholder and pastoralist in the colony.

* Post, p. 114.

† Portland to King. post, p. 425.

‡ Post, p. 445.

§ *Ib.*, p. 934.

For about twelve months after taking office King seems to have been on not unfriendly terms with Macarthur; but in July, 1801, a disagreement arose if anything more bitter than that which had occurred between Hunter and Macarthur. The circumstances which led up to the quarrel were narrated to the Duke of Portland by Governor King in his letter of 25th September, 1801, and its enclosures.* Well nigh every officer in the Corps was involved in this dispute. Lieutenant-Colonel Paterson sided with King, and in so doing brought on himself the enmity of Macarthur. Private correspondence was divulged, confidential conversations were repeated, and finally Paterson challenged Macarthur to a duel, which was fought on Monday, 14th September, 1801, Paterson being wounded in the shoulder. King immediately put Macarthur and the seconds under arrest, and the upshot of it was that Macarthur was sent Home to be tried by Court-Martial. Amongst the papers King forwarded to England concerning Captain Macarthur was a long letter to the Under-Secretary of the Home Department, marked "Private."† In this the Governor attacked Macarthur most unmercifully. His large fortune was a menace to the peace of the settlement; his time was taken up in sewing discord and strife; he ought to be made to leave the Corps and the Army; he would stop at nothing which "art, cunning, impudence, and a pair of basilisk eyes can afford" to gain his own ends; his "diabolical spirit" had shown itself before Phillip left the colony; Hunter challenged him to a duel; Paterson fought one with him; and King himself was only restrained from calling him out by the knowledge of the "inevitable confusion and ruin" into which the colony would have fallen had any "accident" happened to him, and the control of the colony fallen again into the hands of the military, and Macarthur become again "the arbiter of the colony."

"If Captain McArthur returns here in any official character it should be that of Governor, as one half the colony already belongs to him and it will not be long before he gets the other half."‡

Six months afterwards King again addressed a private letter to the Under-Secretary, in which we find him reiterating his hopes that Macarthur would not be allowed to return in his official capacity.

* Post, p. 524 *et seq.*

† Ib., p. 611.

‡ Ib., p. 614.

"If Captain McArthur is allowed to return here, and some notice is not taken of the other officers' conduct, my recall or permission to return will be absolutely necessary to prevent such steps being taken by me as will not much tend to the quiet and good of the colony; for to serve under such a set as will then be in the colony is what neither my pride will stoop to nor situation allow of."*

In this, however, King was disappointed. The Advocate-General of the British Army, to whom the papers were referred, reported that it would be impossible to investigate the complaints with only one of the parties on the spot, and all the witnesses and other persons interested at the other side of the world. He recommended that Macarthur be remanded to New South Wales with orders to join his regiment, and expressed the opinion that under the circumstances it was probable Governor King would not be desirous of bringing him to trial.

King's heated invectives against Macarthur notwithstanding, there cannot remain any doubt as to the value which the colony reaped from the energy and enterprise of "this rich Botany Bay purturbator," as the Governor was fond of calling him. To him belongs the undivided honour of demonstrating the suitability of the colony for the production of high-class wools.

In exploration, both by sea and land, King was not idle. In March, 1801, he despatched Lieutenant James Grant, in H.M.S. *Lady Nelson*, to complete the exploration of Bass Strait; and in June of the same year he instructed him to make a thorough examination of Hunter River. On this expedition Grant was accompanied by Lieutenant-Colonel Paterson, Ensign Francis Barrallier, Surgeon John Harris, and Charles Grimes.

Full accounts of both of these expeditions will be found on pp. 404, 448, and 477.

On page 197 will be found the first reference the Records contain to the foundation of an out-settlement near where Newcastle now stands. It will be seen that the original idea was to locate it at Port Stephens, and to utilise it as a place for the reception of particularly refractory convicts.

* Post, p. 781.

A considerable amount of information will be found in these pages concerning Francis Barrallier, an ensign in the New South Wales Corps, and a "*protégé* of Mr. Greville."

When Flinders arrived to prosecute the exploration of the coast line, King turned his attention to the interior. He sent Barrallier out with six or seven men, two natives, and two horses, with instructions to penetrate as far as possible to the westward. The expedition started from Richmond Hill, and returned in twelve or thirteen days. They went, according to one authority,* 20 miles beyond the "first range of hills," and, according to another,† "50 miles, or better, in a western direction," and were stopped by a river running north, and as "wide as the Thames at Kingston."‡ They discovered limestone in great abundance, and iron "almost pure." Barrallier was sent out again in December, 1802, and penetrated in a S.W. direction, apparently as far as the River Lachlan. His journal of this expedition has fortunately been preserved, and will be printed, in full, with a chart, in the next volume of these Records. An amusing instance of King's resourcefulness occurred in connection with this expedition. Lieutenant-Colonel Paterson, who was then not on the best of terms with the Governor, expressed his unwillingness to allow Barrallier to be absent from his military duties. He could, however, have no ground for objecting if the expedition was invested with a military significance; so King appointed Barrallier an ambassador, and sent him off on an embassy to the "King of the Mountains," fully equipped for his attempt to penetrate into the interior.

The first three years of Governor King's administration, and the last few month's of Hunter's, were remarkable for the number of political prisoners who were sent out, chiefly because they were supposed to be implicated in, or suspected of sympathising with, the rebellion in Ireland. Hunter assured the Duke of Portland that—

"Many of the prisoners have been either bred up in genteel life or to professions unaccustomed to hard labour."

* Post, p. 845.

† Ib., p. 882.

‡ Ib., p. 845.

"We can scarcely divest ourselves of the common feelings of humanity so far as to send a physician, a formerly respected sheriff of a county, a Roman Catholic priest, or a Protestant clergyman and family to the grubbing-hoe or timber carriage."*

King, before he had been a year in office, urged upon the Duke of Portland the claims of these men. On 21st August, 1801, he wrote:—

"In this place I beg to submit to your Grace's consideration the situation of several persons who were sent here from Ireland during the late rebellion, many of whom without any sentence being sent here against them. During the time they have been here the conduct of many of them has been uniformly good and highly deserving."†

He enclosed with the letter, of which the above is an extract, a list of sixteen names. Lord Hobart, in replying,‡ doubted the propriety of liberating them on the mere ground of good behaviour in the colony. He approved of King showing them indulgences; but was of opinion they should not be allowed to leave the colony. Three Catholic priests—Dixon, O'Neil, and Harold—Hobart singled out as meriting conditional emancipation, and authorised King to allow them some moderate compensation if they could be usefully employed as schoolmasters or clergymen. They were finally liberated, and allowed to leave the colony—O'Neil in 1803, Dixon in 1808, and Harold in 1810. The Lord Lieutenant of Ireland, writing to Lord Pelham§ on 21st May, 1802, admitted that no records had been kept of the proceedings at which many of the Irish convicts were sentenced to transportation.

"The sentences," he wrote, "were mostly by Courts-Martial prior to the time when the proceedings of such Courts were sanctioned by law; and, in other instances, the convictions were summary before magistrates, who exercised their powers under the Insurrection Acts, and whose proceedings were, in the disturbed state of the country, not recorded."||

A number of persons described as "rebels and deserters," convicted by Courts-Martial, were sent to the military dépôt of New Geneva Barracks, and, without any legal authority, embarked by

* Post, p. 65. † Ib., p. 463. ‡ Ib., p. 826.
§ Ib., p. 830. || Ib., p. 831.

the commanding officer, and sent out on board the *Friendship*, without even a list of their names, and without any trace of proceedings against them being anywhere recorded. Others were similarly sent out in the *Anne*, the vessel on board of which was the Catholic priest, Peter O'Neil.

One of the consequences of the Governor's ignorance as to the crimes, real or imaginary, of these men, was that he was quite unable to discriminate between the reformer and the incendiary, and consequently received them all with the gravest suspicion. This may account for the great severity with which some of the Irish political prisoners were treated in the spring of 1800, when it was rumoured that they were meditating an insurrection. The evidence on which these charges were laid will be found on pp. 120 and 235, from which the reader will be able to draw his own conclusions as to how far the authorities were justified in giving way to the panic which appears to have seized them when the report of the intended outbreak reached their ears. The punishment dealt out to those who were suspected of having been concerned in the alleged rebellion was severe beyond all question; but it was certainly not more so than that which they would have experienced in any other part of the then civilised world.

One of King's suggestions for dealing with these dreaded rebels was singularly characteristic. Writing privately to Under-Secretary King, he thus expresses himself:—

“I wish the Irish Government would send some clever, obstinate, loyal fellow to take charge of some of his countrymen, who now ought to be mixed and sent to another settlement.”*

Amongst other deeply interesting manuscripts which Mr. James Bonwick has succeeded in bringing to light are some relating to that most intrepid of mariners, George Bass. These were kindly placed at the disposal of the Government by Mr. Pownall, of Russell Square, London, a grandson of Captain Waterhouse. Not the least noteworthy is a private letter from Bass to Waterhouse, dated 30th June, 1801, and written from the Cape of Good Hope.† Bass was in charge of the brig *Venus*, with a cargo of merchandise

* *Post*, p. 782. † *Ib.*, p. 420.

for New South Wales and the islands, valued at £10,890, in which he, and a number of his relatives, had embarked their savings. He thus alludes to his vessel and prospects:—

“Our cargo, as to the latter place,” (Port Jackson) “is now one of the most complete that was ever carried there, and the little brig is as deep as she can swim, and as full as an egg. She turns out very sound and tight, and bids fair to remain sound much longer than any of her owners. Our views at Port Jackson are much darkened by the late changes in that country, and our New Guinea trip has lost a multitude of its smiles. I have written to my beloved wife, and do most sincerely lament that we are so far asunder. The next voyage she must make with me, for I shall but badly pass it without her.”

But the hero of one of the greatest feats performed by the many brave men who sailed the uncharted coasts of *Terra Australis incognita* was doomed never to return to his native land. Whether he was lost at sea, or captured on the South American coast, and condemned to drag out a slave’s existence in the mines of Peru, will probably never be known.

A second letter from Bass to Waterhouse, dated from Port Jackson, 4th October, 1801, has been preserved.* From it we gather that the venture was not turning out a success.

“Everything went on well until we arrived here, and since all things have gone bad. This market is glutted with goods beyond all comparison; glutted even on two accounts—a natural glut from the quantity of goods far exceeding the consumption, and glutted also because the new system of government is built upon a plan of the most rigid economy. It issues very little or no bills.”

“Our dear Bass talks of seeing me in eighteen months; alas, poor Bass, the when is uncertain—very uncertain in everything but its long distances.”

“We go from hence among savages; we are tired of civilized life.”†

Although, after the terrible mortality on the Second Fleet, a great improvement had been made in fitting out the vessels in which convicts were sent from England, and in the treatment and rations of the prisoners during the voyage, yet we find, occasionally, the grossest carelessness and cruelty occurring. In

* Post, p. 568. † Ib., p. 567.

July, 1799, the Hillsborough arrived, landing only 200 convicts out of 300, and most of the survivors had to be taken to the hospitals. In the winter of 1802, the Hercules and Atlas entered the Heads. They sailed with 320 prisoners, and although they put in for refreshments at both Rio and the Cape, they buried 127 convicts at sea, the survivors being landed in a "dreadfully emaciated and dying condition"*; they were, in fact, "too weak and debilitated to be ever of much use."†

On the Royal Admiral forty-three died during the voyage, and King informed the Duke of Portland that of the survivors—"many are crippled, and others too aged to do any material labour."‡

Nearly two years after these people had been landed, the Governor, writing to Lord Hobart, thus alludes to them:—

"I am sorry to say, at this moment many of the people who arrived by the Royal Admiral are in a state of great debility, nor do I apprehend they will ever recover the strength of men."§

One of the chief conducting causes of this amazing sacrifice of human life was the practice of shipping convicts while they were suffering from gaol fever and other maladies incidental to close confinement in crowded and ill-ventilated prisons. Many of the convicts placed on board the Atlas at Cork were in the last stages of disease—two of them died before the vessel left her moorings, fifteen died on the passage to Rio de Janeiro, and when she arrived there seventy were in the hospital. After the gaol fever had subsided, scurvy and dysentery broke out and played great havoc amongst the convalescents. Forty-four convicts died on this ship between the Cape of Good Hope and Port Jackson; and a number were so bad that they could not be landed||—in fact, many of them died on the way from the ship to the hospital.¶

Happily such cases were exceptional. The Canada, Minorca, Nile, Perseus, and Coromandel, all landed their passengers safely, in good health and ready for immediate labour.

It can be imagined that the Governor, anxious to push on with public works and agriculture, would feel somewhat chagrined to find a dead weight on the stores in the shape of

* Post, p. 801.

† Ib., p. 839.

‡ Ib., p. 315.

§ Ib., p. 868.

|| Ib., p. 798.

¶ Ib., p. 809.

cargoes of prostrate invalids or decrepit octogenarians. This, however, was not his only incubus. We find him informing Under-Secretary King, in a private letter,* that the convicts who would have been of most service—the artificers and journey-men handicraftsmen—had been detained on the hulks in England. It is evident the Home authorities had not heeded Phillip's oft repeated requests, that great care should be taken, when sending out convicts, to select those most likely to be of service in the field or the workshop.

A considerable amount of information will be found in this volume concerning the manner in which the assigned convicts were treated one hundred years ago.

On 26th December, 1801,† we find King publishing a Government and General Order forbidding officers and others from horsewhipping their assigned servants. The fact of it being necessary to make this Order, and further to repeat it in the Government and General Order of 23rd January, 1802, showed that the masters of assigned convicts frequently took the law into their own hands. In giving evidence before the Court-Martial on Major Johnston for the deposition of Governor Bligh,‡ Provost-Marshal Gore stated that when he arrived in the Colony, and for some time after, it was not an uncommon thing for convicts, indented to settlers and others, to be imprisoned without a warrant from any magistrate, and for corporal punishment to be inflicted to obtain the confession of supposed crimes.

The reader who has followed these Records, closely, will notice that, at the period at which we have now arrived, the primitive judicial system was becoming inadequate to the requirements of the settlement. Originally the constitution of the Courts of Judicature, both Civil and Criminal, was sufficient to meet all the requirements of the handful of people encamped on the shores of Sydney Cove and the banks of the Tank Stream; but as settlement spread, and emancipation or effluxion of time enabled the erstwhile convicts to acquire property, litigation increased. In May, 1802, Surgeon William Balmain wrote to Sir Joseph

* Post, p. 502. † Ib., 274. ‡ Proceedings of Court-Martial, p. 98.

Banks,* pointing out how inadequate the Courts were to deal with the multiform and increasing cases which had to be decided. "Seldom a day passes without the commission of a crime or the commencement of a law suit." The judges (*i.e.*, the Judge-Advocate and the officers forming the Court) were incompetent to deal with difficult cases, and appeals without end were made to the authorities in England. The inhabitants were gradually becoming more independent and conscious of greater importance; consequently they were dissatisfied when they discerned, or thought they could discern, incompetence or inexperience in the officers who formed the Court. Balmain contended that the Criminal Court, in place of six military or naval officers, should consist of twelve, taken from the civil, military, and naval officers; the Judge-Advocate should be a man learned in the law and of the strictest honour and integrity; the Civil Court should consist of twelve members instead of the Judge-Advocate and two discreet householders; and no appeal should be allowed where the amount in dispute was less than £200.

Governor King appears to have been of the same opinion as Balmain, for on the 21st August, 1801, he thus expresses himself in a private letter to Under-Secretary King:—

"It is incumbent on me to say that some change in our Criminal Courts of Judicature is absolutely necessary."

The system was sufficient, he said, when the colony was first planted; but fourteen years had elapsed, complaints of mal-administration were frequent, and the cause of the dissatisfaction arose, he thought, from the Courts being composed of one class only. He inferred that Lieutenant Marshall had not received an impartial trial (Marshall was a naval man) from the five military officers who comprised the majority of the Court. King attributed it to the fact that Marshall was charged with assaults on two of their fellow-officers. He proposed that civil officers, as well as naval and military, should form the Court.†

If Lieutenant-Colonel Paterson can be taken to have voiced the feelings of the military officers, they too were desirous of an

* Post, p. 769. † *Ib.*, p. 500.

alteration in the constitution of the Courts. In a letter to the War Office, dated 24th August, 1801, he thus refers to this subject:—

“Most of the disquiet which has agitated this settlement, and does agitate it, is chiefly to be attributed to the unfortunate mixture of civil and military duties which exist in this country. But for this I would be answerable that the most entire concord would be maintained between the officer in command and the officers of the New South Wales Corps ; and were it possible to make such a change in the laws constituting the Courts of Civil Justice, as that the officers might no longer be called to sit upon them, I am positive such a change would tend greatly to restore the shattered peace of the colony and to preserve it in future.”*

It was during Governor King’s administration that Port Phillip was discovered, and he recognised at once the wisdom of establishing a settlement there without delay. He evidently thought the matter of sufficient importance to justify him in inditing a private letter to Sir Joseph Banks, in which he stated :—

“I have in a very earnest manner recommended the making of a settlement at Port Phillip, for the very advantageous account given of it, both by Captain Flinders and Lieutenant Murray—its relative situation to this colony requires it. The soil is excellent, and the timber thin, added to which the security and expansiveness of the harbour seems to point it out as absolutely necessary that a settlement should be made there ; nor can there be any doubt of its being a better wheat colony than this. So fully convinced am I of the utility this would be of to this colony that I would have decided on this measure before I heard from England.†

Several passages in this volume will serve to illustrate the almost unlimited powers with which the Governor was invested. On page 790 he prohibits any person paying more than 80 per cent. on the prime cost of goods. On page 220 will be found a most remarkable Government and General Order, in which retailers are forbidden to charge more than 20 per cent. above the wholesale price paid on shipboard ; and the Civil Courts are directed not to take cognizance of any suit or action in which a higher price is claimed. Probably the most remarkable edict ever issued from Government House was the Proclamation of the

* Post, pp. 510, 511. † Ib., p. 785.

2nd April, 1802,* in which King recapitulates the provisions of three Imperial Acts relative to sedition.† Conscious of the very autocratic powers with which he was invested—powers only bounded by his own discretion—King decided that the circumstances of the colony warranted him in applying these Statutes, with special and local amplifications. According to the Imperial law, not more than fifty people could assemble, except under certain conditions, without laying themselves open to the charge of being an unlawful assembly. The Governor announced that within the colony the number should be twelve. If any two persons (the number stated in the Act was twelve), did not disperse within half-an-hour after being required by any free man, “they shall suffer death.” Any person administering, or present at the administration of, any oath binding the persons taking it to seditious purposes, or who should obey the orders of any person not authorised by law, or who did not inform against any association or unlawful combination, should be transported, receive 1,000 lashes, and be worked in the gaol gang during the period of transportation. Compulsion was to form no justification, unless within one day information was lodged with the nearest magistrate. Any person using words of a seditious tendency was to be immediately apprehended, and on conviction suffer the most exemplary punishment; while any persons hearing them and not instantly informing the authorities were to be punished as accomplices—apparently without the formality of a trial. Any house in which a seditious meeting was held was to be razed to the ground. The regulations promulgated relative to promissory notes and bills of exchange illustrate, in like manner, the excessive powers wielded by the Governor. Notes of hand were proclaimed to be illegal unless they specified the consideration. If it was drawn for goods supplied, the price was to appear on the face of the note. Printed forms were to be issued by the Governor, and no others used; more than this, a day was set apart on which the Governor would issue to “approved persons” these blank printed forms, and the promissory notes or bills of any other colonists were not negotiable. Whatever may have

* Post, p. 725.

† 36 Geo. III, c. 8; 37 Geo. III, c. 70, and 37 Geo. III, c. 123. See Raithby's Collection, pp. 2, 193, and 243.

been the legal aspect of King's action, there can be little doubt as to its effect on the commerce and morals of the community. The excessive prices of the necessities of life declined ; agriculture revived ; settlement extended, and the number of people who supported themselves without Government aid increased from 1,635 on 28th September, 1800, to 3,747 on 31st October, 1802 ; while the number victualled from the public store during the same period only increased from 2,899 to 2,910.

The point upon which King was most emphatic, and to which he addressed himself immediately after his arrival, was to arrest the quantities of spirits imported into the colony. He informed Sir Joseph Banks that—

“the cellars, from the better sort of people to the blackest characters amongst the convicts, are full of that fiery poison.”*

He prohibited the masters of several ships which came into the harbour laden with spirits from landing a single gallon, and where as much as £8 per gallon had been charged in Hunter's time, he forbade anyone to demand more than 20s. per gallon.

King appears to have been conscious that in promulgating these and other similar Orders he was taking upon himself a grave responsibility—in fact, he more than once admits so in his letters and despatches ; but he evidently thought that the peculiar circumstances of the colony warranted him in the course he adopted. There certainly can remain no doubt, after the publication of the Records contained in this volume, in regard to the valuable reforms effected by Governor King in restricting the importation and distribution of spirits.

We catch many interesting glimpses in these pages of Sydney as it appeared in those early days. In a letter written to Under-Secretary King by Hunter, we find a statement† of the public buildings he had erected and the additions made to the town since he took charge.

On the west point of Sydney Cove, then known as Point Maskelyne,‡ fortifications had been erected which commanded the

* Post, p. 82. † Ib., p. 151.

‡ In honor of the Astronomer Royal of England.

“length of the harbour.” On the opposite point of the Cove, where Fort Macquarie now stands, Hunter had raised a redoubt with eight embrasures, on which were mounted part of the guns of the condemned vessel, the Supply. The tanks which contained the water supply of Sydney, and the spring from which the Tank Stream took its course, had been enclosed by paling fences and cleansed. A strong stone windmill tower, thirty-six feet high, had been erected. Blacksmiths’ shops, a brick granary (one hundred feet by twenty-two, with three floors), barracks for officers, huts for convicts, and other necessary buildings had been completed. A substantial bridge had been thrown across Duck River, on the road to Parramatta. The foundation stone of St. Phillip’s Church had been laid at Sydney; and St. John’s, at Parramatta, was rapidly nearing completion. A “handsome and commodious stone gaol” had been built at Sydney, on the site where Essex-street now runs into George-street, and a large and elegant Government House had been built at Parramatta—a spacious and roomy building, containing cellars and an “attick story.” Although the little settlement on the banks of the Tank Stream had commenced to assume a more regular and permanent appearance, yet in many respects it closely resembled a military encampment. In the first Government and General Order which Governor King promulgated after Hunter had handed over office to him we find the following clauses:—

“No officer is to pass a sentinal after nine o’clock without giving the countersign.

Masters or officers of merchant vessells are to make themselves known to the officer of the guard.

No person is to pass or repass after nine o’clock, either at this place or at Parramatta, unless they are known householders, who are to carry a lanthorn after that hour.

Offenders against this order to be confined in the guard-house, and reported next morning.”*

In the Appendix (page 941) will be found a number of letters of the greatest interest which passed between Governor King and Commodore Baudin, during the stay of the discovery ships sent out by the French Republic. The letters have, with many

* Post, p. 209.

other original papers, been kindly placed at the disposal of the Government, in the most unreserved way, by the Honourable Philip Gidley King, M.L.C., grandson of Governor King. In common with other documents contained in this volume they are printed exactly as in the originals, and for the convenience of the English reader translations are appended to the letters of the French officers.

A slight departure has been made in this volume in giving *fac similes* of letters of men of note in Colonial history.

The Editor desires to acknowledge his indebtedness to Mr. J. H. Maiden, F.L.S., F.G.S., &c., Director of the Botanic Gardens, Sydney, for information respecting the botanical portions of letters from the naturalists on board H.M.S. Investigator, by whom so many Australian plants were named. Mr. Maiden's remarks will be found in the form of foot-notes, principally to the letters of the celebrated botanist, Robert Brown.

F. M. BLADEN.

18th August, 1896.

HISTORICAL RECORDS

OF

NEW SOUTH WALES.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

1800

My Lord Duke,

2nd January, 1800.

2 Jan.

Two native boys have lately been most barbarously murdered by several of the settlers at the Hawkesbury River, notwithstanding Orders* have upon this subject been repeatedly given pointing out in what instances only they were warranted in punishing with such severity. The above two youths had been in the habit of being much with the settlers, but from the manner in which this shocking murder was perpetrated I judg'd it highly necessary to have the murderers taken immediately into custody, and a court was instantly ordered for their trial. The court having unanimously found the prisoners guilty of killing two natives, were divided with respect to the nature of the sentence, as your Grace will discover by the trial, which is herewith sent at the instance of the majority of the court. The manner in which this decision appears to have been come to, I conceive, my Lord, not to have been correct. I am of opinion that a reference to His Majesty's Minister shou'd have been recommended by the court to the Governor, and not from the court directly and independantly of the Commander-in-Chief, because the power either to approve and confirm or to moderate the severity of any criminal sentence is delegated by His Majesty to him.†

Natives murdered at the Hawkesbury.
The murderers found guilty.

* The only General Order earlier than 1800, bearing upon the treatment of the natives, which has survived is that of 22nd February, 1796 (vol. iii, p. 25), in which Hunter directed the settlers at the Hawkesbury to assemble for mutual protection immediately any large number of natives were seen lurking about the farms, and in which he warned the settlers that any one who, without provocation, fired at or attempted to destroy any of the natives, except in self-defence, would be held guilty of murder. In both Phillip's and Hunter's Royal Instructions they were enjoined to conciliate the natives and protect them from insult and wanton destruction (vol. i, part. 2, p. 89; vol. ii, p. 230).

† See Hunter's commission (vol. ii, p. 112), wherein he is empowered to grant reprieves in extraordinary cases and refer them to the home authorities.

1880

2 Jan.
—
Their
surprise and
embarrassment.

Those men found guilty of murder are now at large and living upon their farms, as much at their ease as ever. I conceive, from the nature of the Governor's authority, I might have rejected the bail and kept the prisoners under confinement until the effect of the special reference was known; but I have been unwilling to shew to the colony that any difference is likely to take place between the judicial and executive authorities, particularly when in the smallest degree inconsistent with lenity. If I am mistaken in my ideas upon the above trial, I hope and request to be instructed.

White
people killed
by natives.

Protection
of the
natives.

You will discover, my Lord, what a host of evidence is brought forward from that quarter to prove what numbers of white people have been kill'd by the natives;* but could we have brought with equal ease such proofs from the natives as they are capable of affording of the wanton and barbarous manner in which many of them have been destroy'd, and to have confronted them with those of the white inhabitants, we should have found an astonishing difference in the numbers. Every information within my power respecting the light in which the natives of this country were to be held as a people now under the protection of His Majesty's Government was laid before the court. The Order given upon that subject, both before my time and since, was made known to it. I also laid before its members an article in His Majesty's instructions to the Governor, which is strong and expressive, and is as follows:—
"You are to endeavour by every possible means to open an intercourse with the natives, and to conciliate their affections, enjoying all our subjects to live in amity and kindness with them; and if any of our subjects should wantonly destroy them, or give them any unnecessary interruption in the exercise of their several occupations, it is our will and pleasure that you do cause such offenders to be brought to punishment, according to the degree of the offence."†

The
Governor's
Instruc-
tions.

The intentions of His Majesty from this part of the Governor's Instructions are clear and evident. The above cruel act is the second which I have brought before a Court of Criminal Judicature in order to prevent, as far as in my power, this horrid practice of wantonly destroying the natives. Much of that hostile disposition which has occasionally appear'd in those people has been but too often provoked by the treatment which many of them have received from the white inhabitants, and which have scarcely been heard of by those who have the power of bestowing punishment.

The mischiefs which those people can with ease do to themselves do to us renders it highly essential to our own comfort and security

* The assistant-surgeon stated to the court that during his residence of four years and a half at the out-settlement, twenty-six men had been killed and thirteen wounded by the natives on the banks of the Hawkesbury. He was not asked to state how many natives had been killed by the whites.

† Vol. ii, p. 230.

that we shou'd live on amicable terms with them. Fire in the hands of a body of irritated and hostile natives may with little trouble to them ruin our prospects of an abundant harvest, for that is the very season in which they might spread desolation over our cultivated lands, and reduce us to extreme distress; and they are not ignorant of having that power in their hands, for after the destruction of the above two boys they threaten'd to burn our crops as soon as it cou'd be effected. I caution'd the settlers in consequence that they might be upon their guard. They did not, however, attempt it.

1800

2 Jan.

Wisdom of
conciliating
natives.

Their violence against the military proceeded from a soldier having in a most shamefull and wanton manner kill'd a native woman and child, a circumstance which had not come to my knowledge untill long after the fact had been committed.*

A shamefull
act.

I have, &c.,

JNO. HUNTER.

P.S.—I must observe to your Grace that the frequent attempts made by ships which arrive here in the service of Government to smugle spirits on shore in opposition to the Port Orders, I saw it necessary to bring two mates of the ship Walker before a court. It will appear by the trial† herewith sent that they were acquitted; but those attempts, in opposition to the regulations of the port, being also a breach of their charter-party, may leave it in the power of the Commiss's of His Majesty's transport service to mulct the ship.

Smuggling.

Anex'd to this trial is one for a forgery, a crime in too much practice here. The prisoner is found guilty by a bare majority of the court. It is, therefore, refer'd for His Majesty's consideration, agreeable to our patent.‡

Forgery.

* The prisoners, five in number, were brought up before the Criminal Court, comprised of the Judge-Advocate, Capt. Waterhouse, Lieutenant Shortland, Lieutenant Flinders, Captain Macarthur, Lieutenant McKellar, and Lieutenant Davies. The crime with which they were charged was the murder of two native boys on the 18th September, 1799. From the evidence given at the trial (which lasted four days) it appears that the prisoners and other settlers on the banks of the Hawkesbury—determined to be revenged on the natives for several then recent murders and robberies—seized three native boys who had ventured amongst the farms on the river bank, and who foolishly brought with them the musket of a settler, who had been treacherously murdered in his sleep by a party of natives with whom he had been camping in quest of game. There was nothing to show that the native boys had been concerned in the outrage beyond their possession of the musket, although it was alleged by some of the prisoners that they had admitted having camped with the settler on the night before he was murdered. The boys, however, were seized, the youngest of them being only about 13 years of age, their hands were lashed behind their backs, and after nightfall they were led out. One of them managed to effect his escape, but the two youngest were butchered—one of them hacked to death with a cutlass, the other shot. The complete evidence is too bulky and contains too many repetitions to warrant its inclusion in these pages; but the depositions of the officer commanding at the Hawkesbury throw some light upon the relations which then existed between the natives and the settlers, and as they can reasonably be relied upon, they are printed in *extenso* on the next page.

† The proceedings at this trial are not available

‡ Forgery at this time was a capital offence, and by the Patent establishing the Court of Criminal Jurisdiction a prisoner could not be capitally punished unless five out of the seven members who comprised the Court concurred in the verdict (vol. 1, part 2, p. 75)

1800

Evidence of Lieutenant Thomas Hobby.

2 Jan.

Two natives
murdered.

LIEUT. HOBBY deposeth that he was Commanding Officer at the Hawkesbury when Thomas Rickerby, chief constable there, applied to him respecting a murder committed on two natives, and requested the witness to accompany him to view the bodies ; that he accordingly went, and on their way to the place the witness met Mr. Robert Braithwaite, whom he asked to accompany him also ; that they proceeded together, and on the spot they viewed the bodies of two male natives, on the younger of which they discovered one wound near the left breast, and another in or about the back, which appeared to the witness to have been made with a cutlass ; on the other native, near the jaw, the head was nearly severed from the body ; that the hands of both said natives were tied behind on the back of each of them ; that the witness sent for Powell, one of the prisoners, and examined him respecting the murder ; that Powell for some time denied any knowledge thereof, but at length acknowledged he was present, but did not kill the said natives ; that Metcalfe was also questioned by the witness, who answered him to the like effect as Powell had done ; that on returning home the witness met Freebody, another of the prisoners, whom he also examined, but doth not recollect particularly what he said ; that Powell told the witness he had understood the Commanding Officer had given orders, and that the Governor had also given orders, that all the natives should be killed ; that the witness then replied he had never given such orders, nor did he believe that the Governor had ; the witness further saith that Powell said it was done at the instigation of the widow Hodgkinson.

An alleged
order.

Q. by the prisoner Powell.—What orders did you give to a party of soldiers who went out to bury the body of Thomas Hodgkinson that had been killed by the natives ?

A.—My orders to the soldiers were to go out with the men who were sent to bury the bodies of Hodgkinson and Wimbo (who were murdered by the natives about two months since), and “that if they fell in with any natives on the road, either going or returning, to fire in upon them.”

By the Court.—What were your reasons for giving such orders, and by what authority did you do so ?

A.—About two months since, or thereabouts, I was informed by different people that it was the intention of the natives to come down in numbers from the Blue Mountains to the Hawkesbury and to murder some of the white people, and particularly some soldiers, and a day or two after receiving this information, one Small-Salts came to me and related that he had been attacked the preceding day by the natives on the road between Parramatta and the Hawkesbury, and that if he had not been armed with

An intended
massacre.

a loaded musket and a brace of pistols he should have been murdered, as the natives threw one or two spears at him; I then came down to Sydney and waited on the Governor in order to make His Excellency acquainted with these circumstances; the day following Andrew Thompson, a constable from the Hawkesbury, came down to Sydney and informed me that Serjeant Goodall, a marine settler on the road between Parramatta and the Hawkesbury, whilst at work on his own grounds, had been attacked by several natives, and so dreadfully wounded that his life was despaired of; I then waited upon the Governor again and communicated this last information; His Excellency appeared to be much displeased with the conduct of the natives; as I had been subpoenaed down to Sydney on a trial, I observed to the Governor that the sooner I returned to the Hawkesbury the better; the Governor was of the same opinion; I then asked His Excellency what was best to be done if the natives persevered in committing such enormities; the Governor replied that something must be done, on which I signified to the Governor my intention, if the natives should still continue such violent outrages, to send out a party of the military to kill five or six of them wherever they were to be found; His Excellency directed me to act discretionally against the natives, leaving it entirely to me; the next morning I left Sydney and returned to the Hawkesbury, where I arrived the second day, about ten o'clock in the evening; on the day of my arrival there, Corporal Farrell called upon me with the information that he knew where to take the natives that had wounded Serjeant Goodall (who was then reported to be dead); I then ordered Corporal Farrell to take a soldier and go in pursuit of the natives immediately—but that the natives were not to be fired upon unless they made resistance, in which case they were to bring them in dead or alive, or words to that effect; the next morning Corporal Farrell returned, bringing with him a native named "Charley," which native I sent down under a guard to the Governor; on the return of the said guard, Corporal Farrell and a private soldier named Henry Lambe came to me and reported that said native was, according to orders, taken before the Governor, who expressed himself—in the hearing of the guard of soldiers—that he could not take upon himself to punish the native in cool blood, but that the Commanding Officer at the Hawkesbury should have punished him on the spot where he was taken; the native was thereupon discharged.

Q.—Do you know that the native you sent down to Sydney was concerned in the wounding of Goodall?

A.—I was informed by Corporal Farrell that the said native was concerned. I then went to the native; he denied wounding Goodall, but said he was present, and offered to take me, or any other person that I would send, to the native that did wound

1800

2 Jan.

A settler
attacked by
natives.An example
to be made."Dead or
alive."An
informer.

1800 him ; that he was known by the appellation of Major White ; this
2 Jan. I declined, from conjecturing that this offer was merely made to afford him an opportunity to escape.

Q.—Did the settlers make any representation to you on the discharge of said Charley, the native ?

A native of ill-repute.

A.—Yes ; many of them said they were not safe in their houses ; neither did they consider their crops secure on their grounds ; and, further, that the said Charley (the native) was a great savage, and had been concerned in murdering a person on the race-ground, and was supposed to have been concerned in other murders.

Q.—When you sent a party of soldiers out in pursuit of the natives, were they accompanied by settlers or any other description of persons ?

A.—Yes ; they were, I believe, by several.

Q.—Did you, when you gave orders to the party to go out and shoot any of the natives they should meet, consider those orders to extend to the settlers, or others that accompanied the party ?

A.—Yes, I did, upon that excursion only.

Ambiguous orders.

Q.—Are you positive that your orders were so explicit as that the whole party understood they were only to attack the natives whilst upon that excursion ?

A.—Such were the orders I delivered to the Sergeant, but it is possible they might be misunderstood.

Q.—Do you know that any of the prisoners at the bar were present with the above party ?

A.—I do not positively know, but I have reason to suppose they were, from a remark made to me by Metcalfe, “that had I seen the bodies of Hodgkinson and Wimbo that I should have thought nothing of the natives being put to death.”

Q.—You mention a resolution of the natives to come down in numbers and kill several white people, particularly soldiers ;—have you any knowledge why they formed such resolution ?

Lex talionis.

A.—Yes ; I have heard it was in consequence of a native woman and child being put to death by a soldier called Cooper.

Q.—Did you hear by report, or do you know, that said Cooper was the person that put the said native woman and child to death ?

A.—I heard it from report by Mr. Braithwaite.

Q.—Did you know that any violence has ever been offered to the natives, or injury done to them by the white men, without violence previously committed by the natives upon the white people ?

Natives the aggressors.

A.—No ; I do not know of any violence committed on the natives at the Hawkesbury or elsewhere without provocation being given.

Q.—Since you have resided at the Hawkesbury, pray how many white people have been killed by the natives ?

A SPANISH PRIZE.

7

A.—Two killed, one wounded so as to be left for dead, one attacked, and repeated thefts. 1800
2 Jan.

Q.—How many natives have been killed by the white people?

A.—Two since my command at the Hawkesbury, which I have held two months.*

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke, 3rd January, 1800. 3 Jan.

On the second of December last a Spanish merchant ship entered this port from the west coast of America. She was captured near the coast of California by three whalers who had letters of marque,† and ill-fitted for any more distant voyage they availed themselves of this settlement, and sent her hither, where she has been tried by a Court of Vice-Admiralty and condemned as lawful prize. Her cargo consists chiefly of a quantity of spirit, and a larger proportion of wine, with some other articles, the produce of the coast of Peru. I wou'd have wish'd it had been compos'd of anything less dangerous to our general concerns, and had it been possible to have sent her to any other place I would not have permitted her to have remain'd here. A Spanish prize. Her cargo.

The sale of this vessel's cargo, your Grace will believe, may be attended with some inconvenience; but I must point out, my Lord, that notwithstanding I have long past mentioned the necessity of our being at all times in possession of a certain quantity of both spirits and wines in His Majesty's stores, there never has been any sent out, not even for the purposes of fulfilling those engagements which have long ago been reported were necessary with such constables, watchmen, and diligent overseers as we have occasion to employ in the public service, both here and at Norfolk Island. I have therefore been repeatedly driven to the necessity of occasionally making those purchases (which is to me the most painful part of my duty) whenever I cou'd, at as moderate an expence as such articles cou'd be sent out at. Reasons for purchasing cargo. Spirits as rewards to watchmen.

On the present occasion, my Lord, I must purchase, and there being at this time very little spirit in the colony but what this vessel contains, the officers of every description have applied. The settlers, and such persons as have occasion to hire labor, and who have of late been oblig'd to pay some of the monopolists not less than £4 4s. per gallon for an adulterated spirit, for the purpose of paying part of the labor employ'd upon their farms, have Officers and settlers apply for permission to purchase spirits.

* The Court found all the prisoners guilty; but under the extraordinary circumstances of the case, they were ordered to be released upon their finding sureties for their appearance when called upon, and the case was specially reserved for the decision of His Majesty's Ministers. On the 30th January, 1802, Lord Hobart authorised their pardon. See King's Proclamation of 30th June, 1802.

† From Thomson's letter to Capt. Schanck (vol. iii, p. 717), it would appear that several whalers left Sydney in 1799 on privateering expeditions.

1800 also petition'd to be permitted to purchase a certain quantity at
 3 Jan. the first hand. I propose, therefore, to allow each person of this
 description to land a certain quantity to be applied to those uses.
 The effect of This will in some degree check the monopoly for a time, and ease
 landing spirits. the immense expences attending the cultivation of land in the
 present state of the colony. After this vessel's cargo, which is
 considerably more wine than spirits, shall have been so much dis-
 pos'd and divided, I am in hope it will be found far less injurious
 than it otherwise would have been, for to prevent its being
 landed is not possible, my Lord, as I have already endeavour'd to
 show ; of various evils, therefore, I am of opinion what I have
 The least of proposed will be found amongst the least, and it will certainly
 various evils. serve to relieve those who require this article in reaping their
 grain and other laborious works.

Wine also must be provided for the hospital, both here and at
 Norfolk Island.

Reprisals. This being the second* Spanish prize brought hither, we cannot
 be surpriz'd, shou'd it be known that such capturers make a con-
 venience of this harbour, if it shou'd provoke a visit from some of
 the ships of war from the Spanish settlements on that coast. We
 Preparations for will, however, endeavour to be prepared for such visit. The guns
 defence. lately arriv'd are mounted on the most eligible situation, and those
 of a smaller size I have remov'd to the most commanding eminences
 which cover the town of Sydney. The people are quartered, and
 the necessary signals appointed.

Fortifica- No port whatever, my Lord, is more capable (with the necessary
 tions. works and heavy cannon upon its commanding situations) of re-
 sisting any attack from the sea ; and those situations I cou'd with
 ease point out to an expert engineer, as far as may be requisite,
 against such an attack ; or, indeed, were it even attempted by land,
 I am as well acquainted with every part of the ground as I am
 with the depth of water in the ship or boat channels. But whilst
 it is expected we turn our whole strength to agriculture and the
 raising of certain essential buildings which have very unfortunately
 been too long neglected, we have not people for such works, nor
 proper officers to direct their labour.

Spanish I send by this opportunity some letters which had been thrown
 letters. overboard from the prize before she was taken possession of, and
 picked up by the captor. Not having persons here capable of
 translating them, altho' they may probably not contain any thing
 of importance, I have consider'd it proper they shou'd be laid before
 your Grace.

I have, &c.,

JNO. HUNTER.

* Hunter reported the arrival of the other Spanish prize in his letter of 1st May, 1799
 (vol. iii, p. 669).

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

1800

Sydney, New South Wales,

My Lord Duke,

5th January, 1800.

5 Jan.

In my letter of the 15th November last* (a duplicate of which will accompany this), in reply to the separate letter I had the honor of receiving from your Grace of the 26th February,† I have particularly entreated a recurrence to my general correspondence on the concerns of this colony, and also to my public regulations and Orders occasionally given out and transmitted for your Grace's inspection, in order to its being known what have from time to time been my general objects. Such personal orders and verbal directions as have been seen necessary it is not possible to give your Grace any circumstantial account of; but they are well known on the spot.

Hunter's correspondence.

His public Orders, written and verbal.

I am extremely unwilling to give any unnecessary trouble to your Grace; but where the character of an officer, who can have nothing so valuable or interesting to him either in public or private life, has been so infamously traduced, and, notwithstanding the very subject of those despicable calumniations have been so frequently mention'd by me, but not so immediately notice'd as I have so often had cause to wish, I am convinc'd your Grace will most readily allow for the additionable trouble I may give upon this occasion in again soliciting an examination may be had of those letters and regulations; for to suppose that an officer serving in so dignified a situation as that which I have the honor to fill cou'd have written his complaints with that earnestness and frequency which I have done to your Grace, and yet to act a part so very inconsistent, so mean, so despicable and disgracefull as that which a vile and cowardly anonymous writer has ventur'd to insinuate, I cannot help observing, my Lord, that to conceive him capable of such a conduct is to believe him a character the most wretched, abject, and deprav'd.

Attacks on Hunter's character.

He refers to his letters and Orders

My public correspondence, my Lord, had your time permitted its being look'd into with that consideration so truly of consequence to a man situated as I am, and no less so to the concerns under my direction, wou'd have satisfy'd your Grace, that ever since my arrival upon this command, I had been particularly careful to have no one private object or concern whatever which cou'd for a moment withdraw my attention from the public service; and yet so unexpected, so infamous an attempt to implicate me with the mean, shameful, and disgraceful traders and dealers so justly complain'd of, is to me a most extraordinary and unaccountable

His public correspondence.

He refuses private gain

* Vol. iii, p. 741.

† *Ib.*, p. 636. This was the letter in which the Duke of Portland informed Hunter that certain charges had been made against him, anonymously, and impressed upon him "the duty and necessity of satisfying me [Portland] of the falsehood or utility of the charges which have been made against you." Before Hunter had even penned his reply in defence, the despatch recalling him was on its way from England (vol. iii, p. 733).

1800	circumstance. There is, be assured, my Lord, something at the
5 Jan.	root or foundation of this attempt which your Grace cannot pos-
and suspects occult influences.	sibly discover, or even suspect, nor is in my power immediatly to detect ; but I will use every means I am capable of for satis- fying myself how far my suspicions are well or ill-founded. Whatever effects such insinuations may have upon your Grace's mind relative to the manner in which I have done my duty, or whatever endeavours may have artfully and indirectly been exerted to incline me (thro' an opinion that unfavourable impres- sions had been made upon your Grace) to relinquish or desert my post, I shall only take the liberty of saying that every public service on which I have hitherto been employ'd, have, I trust, sufficiently prov'd that I have more fortitude and firmness. Let my exertions on the service of this colony, both formerly and since I have myself commanded in chief, be most minutely in- vestigated ; but those who may wish or desire my resignation, let those who dare accuse me of a single act degrading to my office stand forward ; let those even whose conduct have compell'd me as duty I ow'd to His Maj.'s service to complain to your Grace, appear openly and fairly, and attempt to show in the most trifling degree any one act of mine at which I ought to blush, and they will find me prepar'd to meet them. However imperfect I may in other respects be, my Lord, upon that subject I feel myself invulnerable. Let my conduct and character as an honest and conscientious man, professing to possess that integrity which will be acknowledg'd an essential point in the character of an officer, be thoroughly examined and confirm'd ; or let my deviation from the sacred path of truth and justice, from honor and every virtuous principle, be made known to the world ; when your Grace shall appear satisfied in either the one or the other, I shall feel myself at liberty, if I receive His Majesty's permission, to quit a colony in which I have had more to struggle with than any consideration upon earth but a thorough attachment to the public service could have induced me to have undertaken had I known what it really was.
His record in the service.	
He courts an inquiry	
and will abide its issue	
and feel at liberty to resign.	
State of the colony at Hunter's arrival.	I have already said* that the colony fell under my authority at a most unfortunate period, and under the most difficult and unpleasant circumstances ; yet, altho' I have surmounted much, and have thereby lessen'd the severity of that duty which must have otherwise fallen to the next commanding officer, I am not at liberty to obtain that credit which my perseverance and endeavours under such arduous difficultys might have claim'd and expected, and this I attribute intirely to the want of that full information which I wou'd have wish'd your Grace to have pos- sess'd, and the want of which cannot be charged to me. What- ever has relation to our expenses, I am ready when call'd upon to demonstrate from whence they had their origin, and to what
His reforms not appreciated.	
The expenses.	

* See Governor Hunter to the Duke of Portland, 12th Nov., 1796 (vol. iii, p. 171), and numerous other letters.

alone they can with truth or justice be attributed. I will prove beyond the shadow of doubt that no part can in any, the most trifling, degree be imputable to my measures.

1800

5 Jan.

I am, my Lord, a very plain man, bred to the honorable and respectable profession of a seaman in His Majesty's Navy, in which my best endeavours, wherever I have serv'd, have been exerted in that service, and my life occasionally ventur'd. I claim not the support of superior interest upon any occasion whatever, my Lord. I rest wholly and firmly upon the solid basis of my own zeal and integrity as an officer of some rank, and I am well satisfy'd I cannot have with your Grace a more powerful advocate, or more welcome recommendation than such qualitys are. Yet, my Lord, in these days, when every species of deceit is in practice where found convenient or usefull in answering certain ends; when falsehood and misrepresentation has become the unfortunate fashion of the time, what character can be safe? None, my Lord, but such as are so weak, so flexible, as readily to glide into the views and objects of the more artfull and designing, and to suffer the public service to take its chance.

"A very plain man,"

whose zeal and integrity

have been misrepresented.

Having in my letter, alluded to in the beginning of this, omitted a few papers which may be satisfactory to your Grace, in shewing how far I have been an enemy to the monopolys said to have been made of the public store in receiving grain, and what attempts I have us'd for checking or removing them; and finding your Grace is desirous of more substantial proof than mer'ly my declaration that such Orders as have appear'd necessary have been given, all those regulations have been at all proper opportunitys transmitted for your Grace's information on a variety of subjects, yet in my last letter, as your Grace has appear'd never to have seen them, I sent a complete copy from the beginning of my command. I must particularly beg attention to an Order upon this subject publish'd on the 23rd April, 1798*, which was issued as an inforcement of the innumerable verbal directions which had been long given in consequence of such complaints as had been made to me. I send also the copy of a letter I had occasion to write to the officer commanding at the Hawkesbury River on a similar occasion, and two letters of instructions from the Commissary to the storekeeper on the same subject.†

An omission.

Complete set of Orders sent Home.

Enclosures.

These, your Grace will say, serve to confirm the truth of some part of the anonymous letters. I admit they do. But they serve no less to show your Grace that every necessary step for putting an end to such iniquitous proceeding was taken as soon as the existence of such an evil was made known.

Bearing of the enclosures on the charges made.

I have also said that I have no private concern to occupy my time. I may at same time observe to your Grace, that such having been

* The Order will be found in vol. iii, at page 378.

† Only one of these letters is available, post, pp. 12 & 13.

1800
5 Jan.
—
One cause of
Hunter's un-
popularity.

discover'd soon after my arrival to be my ideas of the situation of the Governor in this country, it did not add much to my popularity with those whose dealings were likely to be affected by my opinion and Orders. Those, however, were not considerations of any moment with me. I rely'd intirely upon my intentions being such as I conceiv'd your Grace wou'd approve, and that I shou'd so far receive the support of Government as to have obtain'd credit for them.

His efforts
unrecog-
nised.

I shall continue to be of opinion that had my endeavours to remedy the evils complained of here, and to bring, out of a scene of the most unexampled perplexity and confusion, that order so essential to the prosperity and wellbeing to such a settlement, been as completely known to your Grace as I have been anxious they shou'd, I am satisfied I shou'd have received that credit which every officer who does his duty has certainly some right to look for, and which I am well assured it is not your Grace's desire to withhold, but are well dispos'd to bestow if you are satisfied it is merited. I shall only further observe that, cou'd a complete investigation by impartial and unprejudiced judgement take place here, much information wou'd be obtained highly necessary Government shou'd possess.

Need for an
impartial
investiga-
tion.

I need not, I am well assured, from the conviction I have of your Grace's justice, request that whatever I may write in reply to the falsity and infamy of those insinuations which relate to me in that anonimous letter, may be made as public as that mean, scurrilous, and contemptible publication has been.

I have, &c.,

JNO. HUNTER.

[Enclosure.]

COPY of a letter upon service from the Governor to the Commanding Officer at Hawkesbury.

Sir,

23rd April, 1798.

Many complaints having been made to me that, in consequence of the continued monopoly made of the public store when open for the reception of grain, the distresses of the settlers and other poor labouring persons, whom I have so often wish'd to relieve by every means in my power, still continue, and that without the smallest diminution.

Distresses of
settlers.

Those monopolys are so directly contrary to the Orders which have so often been given that I cannot pass over the storekeeper's disobedience of them longer.

I find from the Commissary's accounts that the granary at the Hawkesbury has now received fifteen hundred bushels of wheat, and that it has been put in by four persons only, to the entire exclusion of those who can less afford to pay freight in sending it hither. I am, therefore, under the necessity of desiring that you

Four
persons
monopolise
the wheat
market.

will take the trouble to direct the storekeeper to order half that quantity may be taken out by those who have had any concern in this very improper monopoly, and let some of the settlers have room to be accommodated as far as the quantity requir'd will go. You will also be so good as to inform the storekeeper that his conduct in this instance has been so highly improper that I shall certainly take an early opportunity of ordering some other person to take the management of that duty.

1800

5 Jan.

The
storekeeper
to be
dismissed.

I cannot wonder at the settlers and others in their situation supposing that I have no real wish to relieve them, when time after time my endeavours for that end are frustrated by an inattention to the Orders so often given out, and that by the very people to whom they are chiefly directed in the Commissary Department.

I have, &c.,

JNO. HUNTER.

[Enclosure.]

ACTING COMMISSARY WILLIAMSON TO MR. BAKER.

Mr. Baker,

Sydney, 19th April, 1798.

Several complaints having been made to the Governor by the settlers at Hawkesbury respecting the taking wheat of the last order, it has been reported to him that the quantity ordered to be received was put into the store by three [four] individuals only, and that many people have brought small quantities, and were obliged to take it away again.

Complaints
of monopoly.

I am desired by the Governor to inform you that it was his intention that a proportion from each should have been taken, and also that you give the reasons why it was not so. Samuel Crafts, a settler at Hawkesbury, who brings this, and is one of complainants, has the Governor's permission to put in about one hundred bushels of wheat.

Small
settlers to be
accommodated.

It is always my wish that no partiality in receiving wheat is to be shewn to any person whatever, and it is also the Governor's wish, if you can distinguish a poor, industrious settler, to give him the preference.

I am, &c.,

JAS. WILLIAMSON,

Act'g. Comm'y.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

7th January, 1800.

7 Jan.

From an ardent desire of relieving the expences of government on this colony all in my power, I had a hope that this last season wou'd have offer'd me an opportunity of reducing the price of grain* ; but in that hope I have had the mortification to be disappointed.

The price of
grain.

* On the 12th April, 1798, Hunter notified in Public Orders that the price of maize would in future be 4s. per bushel. The price of wheat was then 10s. per bushel. The Order to which he refers as having been issued on 2nd December, 1799, is not available.

- 1800 On the 2nd of last month I issued an Order informing all persons
7 Jan. concern'd in farming that the price of grain wou'd be reduc'd one fifth.
- The cost of The immense expence of labor upon the ground, of which I
tillage. enclose a statement,* will shew your Grace what a farmer's situa-
tion with that of his family wou'd have been had I persisted in
this endeavour of reducing the price under the present misfortunes
of the people, many of which are intirely the effect of the want of
those public supplies from Europe which alone can ease the heavy
expences of this colony to Government, and encourage the exertions
of industry. It is long, my Lord, since I have pointed out the only
means by which our expences can be reduc'd, and, had not the
more important concerns of the nation render'd it the less in your
Grace's power to attend to my observations, I doubt not those
difficultys which have stood in our way wou'd have been remov'd.
Those difficultys which your Grace's want of time to notice upon
my representation seem thro' that cause to have encourag'd some
artfull and designing person or persons to attempt to sap the very
foundation upon which I had built my hope of receiving credit for
my exertions and endeavours to get the better of ; but I trust, my
Lord, that if truth and justice shall prevail they will find it too
solid to be so readily undermin'd.
- Neglect of I have in my separate letter of the 5th inst.,† sent herewith,
Home declar'd myself ready when call'd upon to prove what has been the
authorities. original cause of our present expences, and to shew that I have
labor'd incessantly for its reduction. It certainly cannot be conceiv'd by any that a continuation of our present high prices can meet with any encouragement from me, who have already inform'd your Grace that I have no private concerns of any kind to favour ; and that I never shall have any in this colony, your Grace may rest assur'd.
- Misrepresentations at home. The original cause of high charges.
- The food supply. I have for near the whole of the three last months (having no grain from individuals) been feeding the colony upon what I had rais'd on Government account last season, and it was fortunate I had reserv'd it until I had received all I cou'd from others. Very lately, and when all was expended, and the stores empty, report was made to me that the settlers declin'd getting any wheat ready for the store at the reduc'd price, giving as a reason that they were naked and wretched for want of every common necessary and common comfort, and that the expences attending the getting their grain in and secur'd they were now unable to pay if the price was at this time reduc'd.
- Settlers decline to supply wheat at reduced price. Altho' the want of grain to serve out the weekly ration was now found difficult under the present distress'd state of the settlers, yet, if they did not come forward, the farms of the officers were not equal to an immediate production of a quantity equal to the weekly expenditure, even when that of Government was
- The Governor, dependent on the settlers, gives way

* Post, p. 16.

† Ante, p. 9

added to it. To secure this necessary quantity weekly was an object with me, to whom every person look'd up for his stipulated allowance. I, therefore, saw it necessary to give out public notice that wheat wou'd be receiv'd this year at the last year's price, but that whatever might be the circumstances of the people in the next season they must be prepar'd for a reduction. Barley and maize will be at the reduc'd prices.

1800

7 Jan.

Our store of salt provisions is now reduc'd to five months. I had in consequence given directions for coming to a short allowance of two-thirds; but the Commanding Officer of the military having brought out with him some new regulation relative to the ration of the soldiers, by which it appears that in this colony they have nearly one-third more than any other description of persons here, I had upon the arrival of this new regulation immediately complied with it, and the Commanding Officer was very desirous it shou'd not so very soon after be reduced again. To accomodate his wishes I have put off a reduction of the ration for one month more, in hope that something may arrive which may render it wholly unnecessary. But I must observe to your Grace that we have no prospect at present of any quantity of swine's flesh to help to lengthen out our salt provisions, because the ruin of our whole crops last season, and the destruction of numbers of that stock by the overflowing of the river Hawkesbury immediately after, has greatly reduc'd our numbers.

The supply of salt provisions.

The soldiers' ration.

I am concerned to have to represent to your Grace that on the night of the 28th ult'o our public goal at Parramatta, a strong and substantial log building of one hundred feet long, was wilfully and maliciously set fire to by some unknown person, and was intirely consum'd.* There were at the time eight prisoners confin'd in it, who were with much difficulty saved from the suddenness of the conflagration; several of them were shockingly scorched, one of whom is since dead. If such misfortunes as those are not sufficient to give your Grace some idea of my troubles and vexations, as well as an opinion of the cause of some part of our expences, I must continue to be at a loss how I am to explain or make myself understood.

Gaol at Parramatta burnt.

I have, &c.,

JNO. HUNTER.

[Enclosure No. 1].

EXPENSES OF FARMING AT THE HAWKESBURY.

Farm Expences.

At a meeting held at the Hawkesbury this 14th day of January, 1800, by the undersigned inhabitants, appointed from the different districts of this settlement, the following average prices for labor

Price of labour.

* A similar fate befell the log gaol at Sydney (vol. III, p. 669).

1800 and other necessary articles of life was considered and conclude
 7 Jan. by them in a fair and impartial manner to have been paid as follows :—

Cost of cultivating an acre of virgin land. To Wit—For the cultivation of one acre of wheat as by average computation to produce 25 bushells—

	£	s.	d.
Cuting down and clearing weeds	1	0	0
Breaking up or tilling the ground	1	6	8
Chipping or covering the wheat and sowing	1	2	0
Reaping	3	0	0
Carrying home, stacking, and thatching	2	0	0
Thraashing and carrying in the barn	2	2	6
Carriage to His Majesty's store, Sydney, portorage, &c. ...	1	19	7
One bushell and half of seed	0	15	0
Total	£13	5	9

N.B.—There is no allowance for first clearing the land
 in the above estimation, which is per acre ... 6 10 0

Prices current. Average price of the necessary articles of life bought at Sydney by us, viz. :—

	£	s.	d.
Tea, per lb.	4	0	0
Sugar, per lb.	0	2	6
Spirits, per gallon from £1 10s. to	4	0	0
Soap, per lb.	0	6	0
Tobacco, per lb.	0	10	0
Butter, per lb.	0	4	0
Cheese, per lb.	0	3	0
Shoes, per pair	1	5	0
Duck cloth, per yd.	0	5	0
Woollen cloth, per yd.	2	0	0
Irish linnen, per yd.	0	5	0
Callico, per yd.	0	4	0
Silk handkerchiefs, each	0	10	0
Linnen and cotton checks, per yd.	0	6	0
Hats, each	2	0	0

Flannel, blankets, and all sorts of beddings much wanted and none for sale.

N.B.—All other European goods equally dear, tho' not mentioned in the above list.

GILES WILLM. MOWER.	EDWD. ROBINSON.
JNO. FRAS. MOLLOY.	THOS. AKER.
THOMAS TYLOR.	MATTW. LOCK.
ANDW. THOMPSON.	WILLM. ROBERTS.
DANL. SMALLWOOD.	ROGER FOYFIELD.
JAMES MALEE.	JOSEPH WRIGHT.
JONAS ARCHER.	WILLM. ASPINALL.

Retailers' profits.

Memorandum.—The above charges are to be considered as the Sydney price to the settlers, who vend it again at the Hawkesbur from 50 to 100 per cent. advance.

<i>Prices of Provisions.</i>					1800
Wheat, per bushell	...	...	...	...	7 Jan.
Barley, per bushell	...	...	...	...	Prices of provisions.
Maize, per bushell ..	...	...	...	...
Sheep mutton, per lb.	...	...	...	...
Goat mutton, per lb.	...	...	...	...
Fresh pork, per lb.	...	...	...	...
Salt pork, per lb. ...	...	...	...	...
Potatoes, from 16s. to 20s. per 100 lb., and all other kind of vegetables proportionably dear.					

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

15 January, 1800.

15 Jan.

On the 11th instant the *Minerva*, transport, with convicts from Ireland arriv'd in this port, all in the most perfect health, having lost by death only three during the voyage.*

This ship being early for prosecuting her voyage to Bengal, and as I look daily for the arrival of the other ships from Ireland with convicts, I had an intention of sending her to Norfolk Island, but the expence appearing so considerable I shall wait untill it may be possible to forward thither such number of convicts as may be required. It is much to be wish'd that in chartering ships for the sending convicts to this country that the Transport Board cou'd make their agreement in such way as to have them landed by the same ship either here or at Norfolk Island as the public service in this country might require; for after landing them here it is impossible to conceive the difficulties in afterwards collecting them for that island, and we have not at all times a ship to send thither.

On the same day arrived a small snow† from Bengal, which it appears had been charter'd by the officers of the colony, civil and military, thro' the means of an agent whom they had sent from hence, and without having signified their design to me. Altho' this vessel's cargo consists of many things much wanted here, yet she has brought fifty legars[leaguers] of spirits, which the gentlemen say is for the benefit of their respective farms, and that when divided amongst their number will not appear so large a proportion as to be attended with inconvenience. How far this importation, and the manner in which it has been manag'd, may confirm any part of the observations made in the anonymous letter, your Grace will judge. To oppose its being landed, my Lord, will be vain on my part, for the want of proper officers to execute such Orders as I might see occasion to give. The officers have written to me, and

* The famous Irish rebel leaders, Holt and O'Hara, and Father Harold, the Irish priest, arrived in the *Minerva*.

† The snow's name was the *Thynne*, 150 tons, flying Danish colours. For the information of the general reader, it may be mentioned that a snow was a square-rigged vessel, very similar to a brig, except that she carried a try-sail mast immediately abaft the mainmast, on which a large try-sail was hoisted.

1860 I enclose a copy of their letter.* The *Minerva*, having touch'd at
 15 Jan. Rio Janeiro, has brought many articles for sale as well from thence
 High prices. as from England, many of which are greatly wanted by the people
 here ; but, my Lord, the prices in general, altho' not so much in
 this ship, are such as drain the colony of every farthing the people
 can gather together, and serves to keep them in a continual state
 of beggary. It is not possible, my Lord, that we shou'd prosper
 under such circumstances.

Disposal of This ship has also brought some spirits. Petitions have been
 spirits. made to me by certain descriptions of free people and settlers, of
 which I enclose a copy.† They are desirous of procuring spirit at
 a moderate rate, which they say is intended to be applied to the
 advantage of their farms in hiring labour. This spirit they are
 offered out of the ship. If the officers receive permission to land
 what they want, and the others are refus'd, then we shall be
 accus'd of encouraging monopoly in the hands of the officers, and
 refuse those comforts which are wanted by others.

Smuggling. The introduction of spirits in any considerable quantity being
 contrary to my wishes, I cannot but feel very considerable difficulty
 what steps to pursue ; because if not permitted, it *will* be landed
 and become a monopoly in the hands of some of the traders.
 Partiality to any particular class of people I have none ; I am
 desirous of granting such indulgences as may be in my power to
 all alike while a proper use is made of them ; but on the present
 occasion it is scarcely possible to know how we shou'd determine.
 Had not this vessel hir'd by the officers arrived here I cou'd with
 more consistency have refus'd them. I see it therefore necessary,
 in order to prevent those heavy importations in the lowest classes
 and inferior officers, to permit their purchasing at a moderate rate
 whilst they can.

I am sufficiently experienc'd here to know that whilst the article
 sought after is in this harbour, or indeed any other on this coast,
 it is impossible to counteract the designs of those who wish to have it.

A duty on Pardon me, my Lord, for begging to recur to my letter No. 14‡
 spirits. wherein I hinted a duty upon all spirits imported here ; it wou'd
 very much relieve the expences of the colony, and wou'd not be
 felt by the consumer of the article. Other foreign articles might
 also pay a duty which wou'd scarcely be known by any but the
 merchants' whose profits are so immense.

Dearth of I see it necessary to put your Grace in mind that we have now
 salt provi- no more salt provisions in the colony than five months. If none
 sions. has been order'd by us it will be an unfortunate circumstance for
 the colony, for shou'd we be driven thro' necessity and want with
 an increas'd and continually increasing number of people, many of
 whom are useless, to fall upon our valuable and thriving stock of
 live cattle—a circumstance which, I assure your Grace, shall not
 be whilst I can by any means prevent it—the colony wou'd be

* Enclosure No. 1. † Enclosure No. 2. ‡ Vol III, p. 73.

SUPPLIES FROM BENGAL.

19

thrown back farther than it was some years ago from that prospect of independence which I have been so anxiously looking forward to, and its expences become exceedingly increased instead of being reduc'd to that state of moderation which I have been labouring to bring about, altho' it is certainly a most mortifying consideration to me to observe that it appears not to be understood at home, nor do I expect it will to that extent I so earnestly wish, until some well-qualified persons in whose report the Government can place sufficient confidence are sent out to investigate its progressive advancement from the day of its establishment up to the present period. This wou'd be a most gratifying circumstance to me were the nation at sufficient leisure to attend to it. There being about sixty-four casks of salt-meat in the Minerva for sale, I shall order the Commissary to purchase it as low as possible.

1800

15 Jan.

The circumstances not realised in England.

I have, &c.,
JNO. HUNTER.

[Enclosure No. 1.]

OFFICERS TO GOVERNOR HUNTER.

Sir,

Sydney, 13th January, 1800.

We have the honor to acquaint you that a small snow of one hundred and forty tons, having on board a small supply of clothing, spirits, tea, sugar, and other necessaries on account of the officers, civil and military, has arrived from Bengal.

Arrival of a vessel from India.

The successful termination of this undertaking, we have the pleasure to say, has opened to the officers of the settlement a means of supplying themselves at a moderate price, and will in future do away the necessity of their making large purchases from adventurers, which, as it will leave the lower description of inhabitants without any competitors in the purchase of any cargoes that may be brought for sale, will effectually prevent a repetition of the unfounded charges that have been made against the officers of monopolizing.

Advantages of direct importation.

We have now to request that your Excellency will be pleased to indulge us with a permit for the landing this cargo, for the purpose of dividing it amongst the different proprietors, amongst whom are included almost every officer in this settlement and at Norfolk Island.

We have, &c.,
JOHN McARTHUR.
WM. BALMAIN.
JAMES WILLIAMSON.

[Enclosure No. 2.]

PETITION TO PURCHASE.

Sydney, 13th January, 1800.

We whose names are hereunto subscribed most respectfully beg leave to inform your Excellency that having heretofore laboured upon the hardship of purchasing the necessary articles for the use

Purchases at second hand.

1800
15 Jan. of ourselves and familys, as well as for the cultivating our farms, and carrying on other useful vocations, at second hand, and now have an opportunity of purchasing the following articles out of the ship *Minerva*, and at the low prices annexed ; we, therefore, most respectfully beg your Excellency's permission to land the same, viz., 13 pipes of rum, at 7s. per gallon ; 1 ton of sugar, at 1s. per lb.; 19 firkins of butter, at 1s. per lb.; 10 casks of beef and pork, at 1s. per lb.; 4 cases of glass ; Irish linnen, at 1s. 3d. per yard ; 72 doz. pair of shoes, at 10s. per pair ; 1 cask of port wine, at 7s. 6d. per gallon.

Cargo of the
Minerva.

ROBT. SIDAWAY.	JOHN BOSTON.
J. BLOODWORTH.	A. GOLDIE.
N. DIVINE.	R. SCOTT.
JOHN SPARROW.	WM. SMITH.
THOMS. ABBOTT.	JAMES RICKEY.
RICHD. x CHEERS.	ROWD. HASSALL.
WM. EGLETON.	FRANCIS OAKES.
OWEN CAVENOR.	WILLIAM BROUGHTON.
S. LORD.	JAMES ELLIS.

GOVERNOR HUNTER TO SECRETARY NEPEAN.

Sydney, New South Wales,
28th Jan., 1800.

28 Jan.
H.M.S.
Reliance.

Sir,

The very weak and infirm state of His Majesty's ship the *Reliance* having render'd her unfit to continue longer upon the service of this colony, I have judg'd it proper to order her to England whilst she may be capable of performing the voyage. Of this I have to request you will be pleas'd to inform their Lordships.

The Supply's
crew
removed
into the
Buffalo.

In my letter of the 10th of August, 1799*, I mention'd that I had seen it necessary, for the advancement of His Majesty's service in the concerns of this colony, to direct the officers and crew of the *Supply*, which had been condemn'd, to be remov'd into the *Buffalo*. That ship is now upon service at the Cape of Good Hope, or upon her return hither. I have to hope that the steps I have pursued relative to the naval department in this part of the world will meet their Lordships' approbation.

Naval
officers re-
commended
for
promotion.

I doubt not, sir, their Lordships will readily pardon the liberty I take in expressing an earnest hope that Capt. Waterhouse, Lieuts. Wm. Kent, Jno. Shortland, and the officers in general of the *Reliance* and *Supply*, may be consider'd not undeserving the favor of their Lordships. Their services for so long a time in this remote region, where nothing cou'd possibly fall to their share but the immediate and fatiguing duties of their profession ; the readiness with which they have individually exerted their utmost endeavours for forwarding the King's service here, demands

* The letter to which Hunter refers is evidently that of 15th August, 1799, vol. iii, p. 702.

everything I can say in their commendation, and I am well
 convinc'd they cannot apply any interest which will have more
 weight with their Lordships than a recommendation upon such
 grounds.

1800
 28 Jan.

I have, &c.,

JNO. HUNTER.

LIEUT. GRANT* TO SIR JOSEPH BANKS. (Banks Papers.)

Lady Nelson, Ramsgate Harbour,

Honored Sir,

31st January, 1800.

31 Jan.

From the great attention you was pleased to pay me on
 being appointed to command the Lady Nelson, and the singular
 example you have in your own person set before me and all
 spirited men in general, whose researches are intended to enlighten
 the age they live in, forgive my wishing to add one more to the
 number of those men whom you have been graciously pleased to
 notice, if aught there were attached to them deserving of remark
 in their different pursuits and discoveries for the benefit of the
 world at large, and which I have some reason to hope will be the
 consequence of the voyage I am now about to prosecute.

Banks, a
 patron of
 scientists.

I have often and sincerely wished, on reading the different dis-
 coveries made in the southern hemisphere, to tread in the same
 paths, if possible, of those great and shining characters of which
 you deservedly rank among the first. It is true I cannot make so
 great a sacrifice, because fortune is not attached to my person ; but
 if my abilities as a seaman, joined with a thirst of knowing and
 observing nature in all her different works, will either tend to
 the information or benefit of mankind, involuntarily come for-
 ward, and shall be proud to think I have in some degree lived to
 be of service to men in general and my own country in particular.

Grant's
 ambition.

The size of the Lady Nelson, with the particular construction
 on which she is built, being the plan of my worthy and much
 respected friend, Capt. Schank,† will, at all events to men of
 nautical profession, be a positive proof (if I am successful in her),
 of vessels built on her plan, and nearly her size, being best
 adapted to make actual surveys of coasts and harbors, as, from
 the flatness of her floor and her little draught of water, two great
 advantages are attached to the Lady Nelson.

The Lady
 Nelson,

With nine months provisions at King's allowance, and six
 months water at a gallon each man per day, boats, guns, anchors
 eight in number, and a proportionable quantity of cables, &c., &c.,
 I can with safety run into seven feet of water, the vessel only
 drawing six abaft, and by the use of the sliding keels, I am
 enabled to haul off a lee shore equal to any cutter in the Navy, as
 I can increase the draft of water forward, aft, and amidships,

her draft and
 weatherly
 qualities.

* Lieut. Grant was commander of the Lady Nelson.

† See also vol. iii, pp. 663 and note, 724, and 725.

1800 from six feet to twelve, at any one of the above places, separately,
 31 Jan. or at all of them together, and in the space of half a minute of time.

Riding out a
 gale But I trust it will be still more satisfactory to you to know some of the good qualities in general of my little vessel, which experience has taught me during those last heavy gales, nine days of which I have rode with her in the Downs, and blowing for the most part a severe gale from S.S.W. On the night of the 23rd instant it blew a severe storm, and many signals of distress were made in the offing. In the morning six vessels were on shore, one a large ship belonging to the Victualling Board, entirely dismasted, and two ships, without mast or bowsprit, belonging to Liverpool had drove very near me. I saw two more pass me in the night, and I am very sorry to say that there are two ships that had parted that night have not yet been heard of. I rode this gale out in 5 fms. water, without being obliged to put over my fire scuttle, nor did the Lady Nelson even ship a sea that would come over the sole of your shoe. During this gale I found out one great effect of the keels, which my worthy friend Capt. Schank had omitted to inform me of. All vessels with flat floors, and of a light draft of water, are liable to roll very much, more especially when tending to the tide, or being what is called wind rode, where the wind operating on one side and the tide on the other, the vessel is kept broadside on in the hollow of the sea, and in this situation all vessels labour much, but more especially light bodies, and ships having but little hold in the water to counter-balance their top weight. This happened to me in the Downs with the tide of ebb, and a heavy gale from S.S.W. It occurred to me if the keels were let down it would steady her. I tried it, and the effect was so great that I instantly went below, and wrote Capt. Schank of it, without the least inconvenience to my pen from the motion of the ship. After riding out two very hard gales, and on the change of the moon the wind appearing still settled (and which it is yet), I judged it prudent to run into Ramsgate, where on my way, though it blew very strong, I found the vessel stand well up under sail, and with only one reef out of the topsails, no jib set—a lee tide going, when close hauled she brought her wake right aft, and went at the rate of five knots. In order to be certain, I hove the log twice with an interval of fifteen minutes between each time. As vessels in Ramsgate lay dry every low water, again did I observe with pleasure and satisfaction the manner she takes the ground, she being as upright as possible, the great advantage of which I refer all those who are unacquainted with the nature of such a privilege to what Capt'n Cook says—page xxv, in his introduction to his voyage in the Resolution and Adventure, in the years '72, '73, '74, '75, which I am sure you are well acquainted with. As to the tightness of the

in 5 fathoms
 of water.

Advantages
 of the sliding
 keels,

their aid in
 beating,

and in
 taking the
 ground.

vessel, I have pumped her once since I have commanded her; there were four inches in her, the pump sucked at three, and there is now three and a half in her. I pumped her before I left Deptford, but never since. As to her build, I can answer she is as strong as hands can make her, her lining a solid bed of wood. I never found so much as a crack in it from working, though it's the only vessel I ever sailed in that bulkheads or something did not work less or more. In short, I am sure—keep her clear of accident—she is equal to any voyage whatever; and I can give the world no greater proof of my opinion than by voluntarily going in her myself, in order to convince them my ideas are not chimerical, nor the judgment of my worthy friend Capt'n Schank.

1880

31 Jan.

A seaworthy vessel.

I have here been visited by all the curious world, as well as those of the first rank. Amongst others Lady Bentick, with Captain Thompson of the *Savage* sloop, Captain Bernard, and several others. My boarding nettings being got up to stretch and dry, attracts the notice of all, as nothing can enter but over the top of them. I hope this also will meet with your approbation, as the effect they have here on our own countrymen, to a minute observer, will serve him in some measure to draw a conclusion from, when exhibited to a savage and uncultivated race of men, joined with the great defence which can occasionally be made from them, should such effects ever be found necessary.

Lieut. Grant's visitors.

Having thus far stated to you the qualities and advantages of my little command, I need only say that she is in every way complete, Government having equipped me with every necessary instrument and utensil on a very liberal plan, though I could have wished, together with Mr. Bayley, at Portsmouth, that they had put on board a time-piece. As I am well aware, the great motion of such small vessels where heavy seas are to be expected, lunar observations are difficult to be obtained with nicety and exactness. However, I am so bountifully supplied that few adventurers have had half so much, though I hope you will pardon my presumption in risking my opinion. We must only grasp every opportunity that may offer for the purpose of obtaining the longitude.

Equipped with every necessary instrument.

I have thus far presumed on your time, and have to solicit your forgiveness.

Begging that I may be allowed the honor to communicate to you from time to time what may be worthy of your notice, and requesting leave to place your name at the head of my list, should I be so fortunate as to discover an island, bay, or harbour, which is worthy to boast of such a title. And believe me, sir, such honor will be most grateful to the heart of

A flattering request.

Yours, &c.,

JAS. GRANT.

1800

GOVERNMENT AND GENERAL ORDER.

1 Feb.

1st February, 1800.

Soldiers' rations.

THE quantity of salt provisions at present in the stores not admitting of the new regulation respecting the military ration, the soldiers are informed that until the store can afford to victual them agreeably to that regulation no stoppages from their pay will on that account take place. They will continue, therefore, to be victualled as the civil department, agreeable to the former manner, and, of course, will be liable to the same reduction to which the circumstances of the colony may subject them.

JNO. HUNTER.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

1st February, 1800.

Enclosures.

The pressure of Imperial concerns.

The inclosed petition, addressed to your Grace, and two letters to me, I am the more readily dispos'd to forward, as it gives the better description of our settlers in this country an opportunity of speaking for themselves, and making a fair and candid representation of those grievances which have long since been mention'd by me in my official letters to your Grace on the concerns of this colony; and I earnestly hope that this may arrive when your Grace's time may be less engaged in matters of so much more importance as to prevent its being taken into consideration, an advantage my observations upon the same subject were less fortunate in.

Hunter claims an impartial inquiry.

After having in former letters written your Grace my full sentiments and complaints upon the destructive system of traffic carried on here, it will not be necessary I shou'd again trespass on your time; it will be sufficient for me to add that I cannot cease, after the attempts made upon your Grace's judgement and opinion to my injury, to solicit either an impartial investigation of those trading interests and disgraceful concerns, or to learn from authority that no part of those infamous callumnys, as far as they concern 'me, have in any degree been credited by government; but I must confess, my Lord, that an investigation, which cou'd not leave the shadow of doubt, wou'd be far more to my satisfaction than any other way of removing the odium which has been so treacherously attempted to be cast upon my character.

Death of Hunter's patron.

It is a source of much sorrow to me to learn that my principal friend and patron, the Earl Howe, is no more; to that great and good man I was, as an officer, well known, and to him, on the receipt of your Grace's last despatches, I had written on the subject of the infamous attack which had been so vilely made upon my reputation.*

* Unfortunately this letter from Hunter to his "principal friend and patron" has been lost.

I will here also trouble your Grace with another petition addressed to me, and which I have just received from a different class of settlers from those already mention'd. This description of people, and the district in which they reside (the banks of the Hawkesbury River), I have formerly had occasion to notice to your Grace.*

1800

1 Feb.

Hawkesbury settlers.

Those various complaints and grievances, and the earnest endeavours I have exerted for removing them, as may be seen in Public Orders and regulations, may serve to give your Grace some idea of the comforts of my situation under the present existing circumstances of this settlement. Whatever may be the opinions form'd at home upon the subject, I have felt it a necessary part of my duty to give your Grace the most unreserved information.

Hunter's "comforts."

My reply to the petition of the Hawkesbury settlers is also enclos'd.

I have, &c.,

JNO. HUNTER.

[Enclosure No. 1.]

SETTLERS TO GOVERNOR HUNTER.

Hon'd Sir,

Parramatta, 25th January, 1800.

We, the settlers in Parramatta and the adjacent districts, having in a former letter to your Excellency intimated that it was our joint intention to memorialise His Grace the Duke of Portland for a redress of our heavy grievances, have unanimously agreed to the enclosed petition, and with all due respect now take the liberty to lay the same before your Excellency, not doubting but our petition will meet your Excellency's approbation and support, being no more than a just and candid statement of well known facts. We further pray your Excellency to transmit our memorial to His Majesty's Minister, with such observations and remarks as your Excellency may judge proper.

Settlers' grievances.

[Enclosure No. 2.]

SETTLERS' APPEAL TO HOME GOVERNMENT.

To His Grace the Duke of Portland, His Majesty's Principal Secretary of State for the Home Department.

Petition to the Duke of Portland.

The humble petition of the settlers in Parramatta, and the adjacent districts of the county of Cumberland, in New South Wales,—

Most humbly sheweth :

That your petitioners, having long laboured under grievous and intolerable burdens, which have not only cut off all hope of their independence, but reduced them and their families to a state of beggary and want, and incapacitated them from prosecuting the culture of their lands with vigour ; and unless some speedy relief is afforded them, utter ruin as to their temporal concerns must

A gloomy outlook.

* See Hunter's letters to the Duke of Portland of the 5th and 7th January, 1800, and their enclosures.—Ante, pp. 11 and 13, and vol. iii, pp. 346 and 365 *et seq.*

1800

1 Feb.

The Governor powerless to help them.

inevitably ensue, the prospect of which has obliged some to relinquish their farms, brought others into a state of carelessness and unconcern, and driven many to desperation.

The immediate cause of all these distresses they have from time to time made known to His Excellency Gov'r Hunter, who has ever shewn a readiness to render them comfortable in their circumstances and redress their grievances; but from his peculiar situation, his efforts have not produced the desired effect. They therefore humbly presume to lay before your Grace a candid statement of the grievances they labour under, and which have been the cause of all their distresses.

Agriculture in Europe and Australia.

Here it may be necessary to premise that the tillage of land in this country is conducted in a different manner from what it is in Europe—the latter, with the assistance of horses or oxen, the former wholly by men who, to keep pace with the growing extortion of monopolists and dealers, rise the price of their labour in proportion to the price of imported commodities; and the price of grain being fixt, the poor settlers have no means of avoiding the impositions of the dealer and labourer, but are crushed under the heavy weight of expences attending agriculture, which frequently exceed the amount of their crops, so that in fact the whole of the very exorbitant profits of trade are extorted from them rather than the consumers of any other description who, in general, are indifferent what price they give for any article as the burden of expences falls on the land holder.

The settler the scape-goat.

The profits of retailers.

That your Grace may be able to form some conception of the mystery of iniquity and extortion to which the settlers are subject, they beg leave to observe that when ships arrive at Port Jackson, the cargoes are bought up* by a few individuals who, in order to engross the whole, will give an extravagant price, which ultimately tends to their advantage; for they seldom, if ever, dispose of the same at less than 100 per cent. on the purchase money, whatever that may be, and frequently at 200 per cent., without the trouble of taking the goods out of the ship, as will appear from the following statement of prices for which goods have been bought out of the ships that have arrived in the colony within the last eighteen months, and sold for again.

Prices current.

Out of the Hunter, from Bengal:—Rum bought at 8s. p'r gallon, afterwards sold from 20s. to 30s., 40s., and 60s. p'r gallon; tea bought at 10s. p'r lb., afterwards sold from 30s., 50s., 60s., 80s., and as high as £8 sterling p'r lb.; sugar bought at 8d. per lb., afterwards sold from 16d. to 3s. p'r lb.; calicoes, gurra† shirts, muslins, handkerchiefs, and all other articles of wearing apparel in proportion to the above.

* An agreement of this purport was entered into by the officers and others in June, 1796, which, though meeting with Hunter's approval, was discountenanced by the Duke of Portland, vol. iii, pp. 405, 406, 408 and note, and 734.

† Gurrah—a coarse Indian muslin.

The cargo of the Rebecca from Bengal amounted to near 1800
£20,000 st'g, and consisted of a similar assortment of goods, which 1 Feb.
were bought and sold at nearly the same prices.

The cargo of the Argo, an American vessel, consisted chiefly of rum and gin. The rum bought at 9s. p'r gallon, afterwards sold from 20s. to 80s. p'r gallon; the gin, in cases of 9½ gallons, bought for £5, afterwards sold from £15 to £20 st'g p'r case. Cargo of the Argo,

Porter bought on board the Walker, from London, at £8 and £10 p'r cask, was sold immediately from £18 to £20, £25, £30, and £36 st'g p'r cask. and the Walker.

All the above articles were sold by the retailers to settlers and others with an advance of from £50 st'g to £80 st'g p'r cent. on the above-mentioned prices. Retailers' profits.

In addition to the above, men's shoes are from 25s. to 40s. p'r pair; soap from 5s. to 10s. p'r lb.; common hats, 20s. each, value, 2s. and 2s. 6d. in England; duck frocks, 20s. each; printed cottons from 6s. to 18s. p'r y'd; reap hooks, 5s. each; an axe, 5s.; a spade from 12s. 6d. to 15s.; an hoe from 3s. to 5s.; and tobacco from 8s. to 12s. p'r lb.

By the above statement it appears that the settlers are oblig'd to pay from 500 to 1,000 per cent. on the aforesaid articles; and if they continue to groan under this load of oppression, agriculture must soon be at a stand, the colony in want of grain, and consequently the expences of government increased, as many families will have no other means of support than the public store. 500 to 1,000 per centum.

Thus circumstanc'd, they submit their case to the humane consideration of your Grace; and it is with pleasing (may they not add sanguine) expectations that they look up to your Grace as the only instrument in the hand of Providence who can effectually redress their grievances in this distant part of His Majesty's dominions; and they trust your wisdom will devise such means as may be productive of this salutary end. The settlers appeal to the Duke.

They, however, beg leave to remark, from their local knowledge of the colony and its nefarious practices, that the only means likely to prove efficient and afford them permanent relief, would be for Government to open a public warehouse,* from which the settlers might be supplied with every necessary article at such a rate as would not only enable them to meet the wishes of His Excellency Gov'r Hunter in his intended reduction of the price of grain, but also considerably diminish the expences of Government by enabling A public store.

* This was a favourite panacea with the colonists in the early days. Hunter, as early as 16th June, 1797 (vol. iii, p. 219), proposed it. He returned to the subject again in January following (ib., p. 344). Lieutenant-Governor King took up the proposal in March, 1799, when in England, and went so far as to draft regulations to be observed in conducting the Public Stores (ib., p. 642). Hunter again, in July, 1799, impressed upon the Duke of Portland the wisdom of adopting the suggestion (ib., p. 692); and must have been surprised to receive the despatch of 5th November, 1799 (ib., p. 735), censuring him for not having distributed certain stores sent out in August, 1797, which he probably had done. See also King's letters to the Duke of Portland, post, pp. 180, 226, and his instructions to Foveaux, post, pp. 102, 105.

1800 the landholder to support his family, who, from mere indigence,
1 Feb are now dependent on the public store.
. This means they have only taken the liberty to suggest by way
of information, trusting their distressed case will have its due
weight with your Grace, and that proper means will be chosen to
mitigate their burdens.

And your petitioners, as in duty bound, will ever pray, &c.
Parramatta, 9th January, 1800.

[Signed by fourteen deputies, representing 181 settlers.]

[Enclosure No. 3.]

ADDRESS FROM SETTLERS TO GOVERNOR HUNTER.

Parramatta, 9th January, 1800.

Settlers' To His Excellency John Hunter, Esq., Captain-General, and
address. Governor, &c., &c., &c., in and over His Majesty's territory
of New South Wales.

THE underwritten settlers in Parramatta and the adjacent dis-
tricts—

The price of wheat.	Take this method of expressing their grateful acknowledgements to your Excellency for your kind attention to their interests in continuing the price of wheat for this season as the last; but as your Excellency has given information in a Public Order dated Dec'r, 1799, that the present price will be continued for this year only, they beg leave to observe that unless Government adopt some means to redress their grievances so as to enable them
Prospect of poverty and ruin.	to raise their crops at a cheaper rate, nothing but poverty and ruin to themselves and families must ensue and the prosperity of the colony greatly retarded. They also beg leave to inform your Excellency that it is their intention to lay before His Grace the Duke of Portland a candid statement of their grievances and to
Necessity for a public store.	request that a public store might be established in this colony as the only means of relief, from which they may be supplied with every necessary article of life at such a rate as may enable them to meet your Excellency's wishes in curtailing the expences of Government, by reducing the price of grain. And they humbly request that your Excellency will not only be pleased to forward such petition but to give it all the support in your power from your local knowledge of their circumstances, which they flatter themselves that they shall have from the readiness your Excel- lency has ever shown to render the situation of the settlers comfortable and redress their grievances tho' your efforts have
Importers' monopoly.	proved ineffectual by reason of the whole trade of the colony being engrossed by a few individuals and consequently the settlers obliged to pay whatever price they please to extort on every imported article. This grievance they have long complained of,

SETTLERS' GRIEVANCES.

29

and groaned under, and are sensible that nothing but the means pointed out above can afford them any relief. Confiding in your Excellency's support to their petition they remain

1800

1 Feb.

The only
remedy.

Your Excellency's greatly obliged and very humble servants,

For the settlers in the Field of Mars.	{	ISAAC x ARCHER. mark
Northern Boundaries	{	MATTHEW EVERINGHAM. THOMAS ARNDELL. ROWLAND HASSALL.
The Ponds	{	THOMAS TILLEY. JOHN RAMSAY.
Kissing Point	{	JAMES SHEPPARD. his JAMES x BRADLEY. mark

[Enclosure No. 4.]

PETITION OF HAWKESBURY SETTLERS TO GOVERNOR HUNTER.

WE the undersigned freeholders and settlers of this settlement request your Excellency's attention to the following statement, and respectfully petition for a redress of the grievances therein enumerated, fully convinced the powers entrusted to your Excellency are adequate to the extinction of any abuse, and that it is the intention of Government you should exert them :—

Firstly.—Your petitioners pray your Excellency's attention to the high price Government is obliged to give for wheat, being nearly double what it ought to be.

Redress of
grievances.

High price
of wheat.

Secondly.—That notwithstanding the enormous price thus given, the settler's profit is inadequate to his labor and expence, and is in fact insufficient to procure him the common comforts of life : for

Inadequate
profits.

Thirdly.—Your petitioners complain that when the stores are open for the reception of wheat or pork, preference is given to the officers, to the great detriment and sometimes total exclusion of the settler.

Preference
to officers.

Fourthly.—That when the settler has turned either wheat or pork into the store he is forced to wait three months before he is paid. This delay proves highly inconvenient to him, without being any way advantageous to Government, since payment is made not in money but in bill.

Deferred
payments.

Fifthly.—Your petitioners complain that they have not a due allowance of men to till their land, while officers and other favourites have men allowed them out of number.

Favouritism.

1800
1 Feb.
Cost of
stores.
Distribution
of Govern-
ment live
stock.

Merchant
officers.

Necessity of
reducing the
price of
wheat and
pork.

Sixthly.—That your petitioners are not allowed to draw from the stores, at prime cost, agricultural and other necessaries.

Seventhly.—That the Government cows and sheep have not been distributed amongst settlers, but that the advantage arising from their milk, fleeces, dung, &c., are engrossed by a very few individuals; that in consequence of this the civil and military officers are become the sole graziers, and butchers are enabled by it to, and actually do, keep up the price of meat.

Eighthly.—That when ships arrive, the officers, civil and military, are exclusively admitted on board; that they there forestall the whole of the cargo, and then retail it to the colony at the most extortionate rates, as we are ready to prove if your Excellency requires it.

Of all these grievances we, your petitioners, pray immediate redress that will enable us, by a large abatement in the price of wheat and pork, to somewhat lighten the heavy burthen this colony has so long proved to our now much distressed mother country; and sensible that your Excellency's mildness has been imposed upon, your authority thwarted, your good intentions defeated, by a set of men who have enriched themselves by plundering the colony, we here beg leave to proffer our services in whatever manner your Excellency's wisdom may judge proper in support of your Excellency's authority and Government, and for enforcing the laws of our country.

Hawkesbury, February 1st, 1800.

[Signed by 173 deputies.*]

[Enclosure No. 5.]

GOVERNOR HUNTER'S REPLY TO THE HAWKESBURY PETITION.

Government House, Sydney, 8th February, 1800.

Hunter's
reply.

THE Governor having received a petition from the settlers of the Hawkesbury River has thought proper to make a few observations upon it for their information, and—

Reduction in
the price of
grain
opposed by
petitioners.

Real cause of
distress.

First.—He thinks it necessary to remind them that every time an intention for reducing the high price of grain has been made known they have uniformly been amongst the first to petition against it, on the plea of some unfortunate accident, which had been unavoidable. This may in part be true, but the chief cause of those distresses which they had complained has originated from the settlement being at so great a distance from head-quarters

* These petitions are copies in Hunter's handwriting, and the names of the signatories do not appear.

and in the disgraceful excesses which has so long been but in too much practise there, of which the wretched buildings on their farms is alone a sufficient proof. The Governor feels a pleasure, notwithstanding, in saying that there are a number of very industrious settlers in that part of the country.

1800
1 Feb.

Second.—He admits that the high price of labor runs away with the greatest part of the farmer's advantages from the culture of his land ; but the settler should recollect the trouble and pains the Governor took some years past (the 10th of March, 1797)* to establish a general rate of wages, and this he did at the express wish of the settlers throughout the colony, but as soon as it suited their own convenience or particular purpose they broke through those salutary regulations, the consequence of which they now feel and complain of, though a subsequent Order was issued on the 15th of April† following to prevent the exactions of the imposing labourer, and bringing all such characters to public justice.

The price of labour.

The rates of wages.

Third.—That a monopoly is made of the public store in receiving grain. If this be true, is in direct opposition to Public Orders on that subject, particularly the 23rd of April, 1798,‡ as the settlers must know, and that if disobedience to those Orders is in practise it is the business of those who suffer from it to come forward and give immediate and substantial information of such grievance and abuse, in order that it may be instantly checked.

Monopoly at the public store.

Fourth.—The settlers complain of being kept three months out of their money after they have put value into the store. This is certainly a most unfounded complaint, because although it was intended that the Government bills should be only issued quarterly, that intention was never generally put in force ; and had it taken place and been found inconvenient to the settlers, they had themselves alone to blame, through their declining to come forward, once in the quarter, to sign the Commissary's vouchers for the money they had received ; and they can entertain no doubt that had proper reasons been assigned to the Governor of the distress it had occasioned, that their application would have met with proper regard and notice.

Alleged delay in Government payments.

* Vol. III, p. 197, where the rates of wages will be found.

† The Order was dated 14th April, 1797 (vol. III, p. 204) ; in it the Governor prohibited both employer and employed from departing from the established scale of wages.

‡ Vol. III, p. 378. See also Governor Hunter's letter to the Duke of Portland of 5th January, 1800, and its enclosures, ante, p. 11.

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The allowance of convict labourers.

Fifth.—The settlers complain that they have not a sufficient allowance of men to till their ground, while officers and others have men out of number. When the settlers can afford to pay to Government £20 per annum for every man the Governor may allow them, they will then be supplied when Government have them to spare with as many as they can employ. The officers either pay that sum for the extra men, or take them entirely from the store; at least such is the Governor's intention. If it is otherwise let the fact be proved and he will see that the abuse is remedied.

The supply of tools from the public store.

Sixth.—The settlers are allowed to receive tools from the store, when the supply is sufficient to admit it, and they are charged the price which Government have affixed; but it is necessary to observe that many of the settlers have considered it meritorious to evade the payment of their just debts to Government, and for this dishonest intention they have been known to put their grain in the store in another person's name to prevent a stoppage of payment. It is therefore requisite that the Commissary should be particular who he entrusts with the Government property, because he is responsible for it.

Government live stock.

Seventh.—The settlers can have no right to imagine that Government was stocking this country with horses, cows, and sheep, at so great an expence, to be given to them, and disposed of as they please. Deserving characters are very frequently favoured with a few sheep or goat, as the increase of the public stock will allow. This is a custom that has been uniformly attended to for the last four years. Some have made good use of the donation; but let the settlers look back upon the abuse made of that indulgence some years past. They were then either sold or destroyed, and the practice was therefore set aside until the time above mentioned. It is presumed they mean not to dispute the Governor's discretionary authority to issue a mare or a cow from the public stock to such officers whose services may have given them a claim to either. If they mean that, he feels it his duty to decline giving them any satisfaction for that head; but the settlers should recollect that there is a wide difference in the situation of the colony from the years 1791 and '92 to 1800. At the former period there was no commerce, and but little farming. Governor Phillip (whose name they mention as an example, it is supposed)*, gave every encouragement to agriculture in his power. The number of farmers was few, and the

Distributing stock amongst settlers.

System in vogue in Phillip's time.

* The settlers' petition contained no mention of the name of Governor Phillip.

little stock that was brought into the country in 1788, after an interval of four years, enabled him to issue the increase to such people his goodness led him to consider as deserving. Whether they were does not admit of a doubt. It is notorious they (almost to a man) approved themselves undeserving of this indulgence. The Governor, therefore, wishes to contrast that time with the present. At Governor Phillip's departure in 1792 there were not above sixty settlers throughout the whole territory, Port Jackson and Norfolk Island. Of these, a few received sheep, some goats; but several had neither the one nor the other. Now there are upwards of a thousand settlers, and he asks, Where is there stock equal to meet the wishes of the settlers? Not in this colony. But if there were, has he not reason to suspect that an improper use would be made of them? He has more than suspicion. From the idle and dissolute characters he can look for nothing else, and he is sorry to observe they greatly exceed the industrious and careful. It is hard the good should suffer for the bad. Who but the executive authority can discriminate? This he has endeavoured to do with as much discrimination as possible, and he will continue to act on the principle as fast as the live stock increases; but with respect to the horses and oxen he must receive instructions from His Majesty's Ministers before he can make a general issue, and such instructions have never yet been received by him or his predecessors in this Government.

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The colony
under
Phillip and
under
Hunter
compared.

Hunter's
method
of disposing
of
Government
stock.

Eighth.—The settlers say that on the arrival of ships in this port the officers are exclusively allowed to go on board; that they forestal the whole cargo, and that they retail at a most extortionate rate, which they are ready to prove, if required. It is not true that the officers are exclusively permitted to go on board ships. All who have business are permitted at a proper time to go on board, but ships are not allowed to be crowded with strangers the moment she arrives. A recent and melancholy instance of this improper eagerness has been seen. This charge of a very shameful monopoly is too general to be noticed. It is therefore necessary that the settlers should upon this subject be more circumstantial and particular, and not only in this, but in the abuse they complain of at the store.

Disposal of
cargoes of
vessels.

A general
charge.

After having taken notice, at some length, of the various grievances of which the Hawkesbury settlers complain, the

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Hunter
comments
on the
settlers'
want of
thrift.

The neglect
of Public
Orders.

Governor thinks it necessary to observe, not only to them, but to all the settlers in the colony, that there are many amongst them (it may be said nine-tenths) who, had they been more careful of and attentive to the land in their possession, and the stock they may have had upon it, and indulged less in those ruinous gratifications which have so often reduced themselves and their families to beggary and a prison; had they more seriously considered the advantages of a good farm, and the comforts which may be derived from a due attention to its cultivation, instead of flying from the labor of that farm to some whimsical speculation in traffic, they might at this time have been men possessed of a little independence sufficient for the wants of themselves and families. Had they paid proper regard to the various Public Orders and Regulations which have been given out in the colony for their benefit, particularly that of the 14th January, 1797, for the establishing quarterly meetings in each district*, the complaints they now make would not have been necessary, because the grievances they have enumerated could not have existed.

The
Governor's
powers.

The Hawkesbury settlers preface their petitions and observations to the Governor by observing that "he has certain powers given him by Government, and that it is intended he should exert them." What those powers are, or how far he does or does not exert them, he will not allow them to be judges; it will be at all times sufficient for them to make their grievances known and respectfully solicit the Governor's interference to put a stop to them. Those concerned in drawing up their petition seem to have lost sight of their proper situation and duty; notwithstanding which he is willing and desirous of entering into the real meaning and design of their paper, and examine such parts as may appear to require attention.

Another
petition.

The Governor having received another paper from the settlers since he saw them he has, in reply to that, only to desire that whatever grievance they may, upon any of the occasions they have stated, have cause to lay before him, that the statement of such grievance be made, so as to give time to correct the abuse as soon as possible, but let it appear to be a real, not an imaginary grievance. He has no doubt of the readiness which the settlers express they will ever shew to render themselves useful, and he in his turn assures them that any grievance shall meet an early redress as far as lay in his power, as his chief duty and pleasure ever will be the happiness of the people over whom he has command.

PHILIP GIDLEY KING.

* See vol. iii, p. 189. The object of the meetings was to settle the rates of wages to be paid to labourers or others whom the settlers might have occasion to employ during the then ensuing quarter.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

1800

Sydney, New South Wales,

My Lord Duke,

2nd February, 1800.

2 Feb.

The inclos'd letter I have receiv'd from Lieut.-Col. Pater-son*, in consequence of my intention to reduce the ration of salt meat, there being at the present time only of that article a quantity for five months in the colony. I have complied with the colonel's wishes, and have given out in Public Orders: "That the military ration lately established by authority could not, on account of the scarcity of salt provisions, be permanently fix'd in this settlement at present. That no deduction, until it cou'd, wou'd be made from the pay of the soldiers on that account; that they wou'd be victual'd as the civil department were, and of course be subject to the same changes in the ration as the state of the settlement might occasionally require."†

The ration of salt meat.

Our public gaol‡ which is now erecting and will be a complete work of its kind, is far advanced; but the expence being as great as the work is indispensable, and the poverty of the people being so extreme, that we cannot venture to assess them farther than we have already done for defraying this expence.

The new gaol.

I enclose a letter which I have received from those gentlemen who were appointed at a meeting of the officers to superintend and expedite the erection of this building. You will discover from this letter, my Lord, what a sum is still wanting, and without which it is not possible to finish this highly necessary building.

A further sum wanted.

Although, my Lord, I am thoroughly sensible that such money must be rais'd, and that it cannot be borrow'd but from Government, yet it is not intended that this work shou'd be at Government expence, because I hope to be able to raise it upon an article which we cannot keep out of the colony (spirits, wines, and other strong drink). I do not mean this, my Lord, as a duty on its importation—that must be settled by Government at home; but as an assessment or condition upon which the persons applying will be permitted to land it; and whenever a regular duty shall be determin'd upon from authority, this assessment to cease. In the meantime it may raise a sum for these public purposes which will never be felt by the consumer. I wish it were in my power, my Lord, to devise any means for the lessening of public expences here which might meet your Grace's approbation. Had this idea which I now submit for consideration been adopted a year ago, we should, altho' by a very small rate, have rais'd a sum which wou'd have defrayed the expence of not only a gaol at Sydney, but one at Parramatta and Hawkesbury, where they are equally requisite.

to be raised by a charge on spirits imported.

* Enclosure No. 1. † See Government and General Orders of 1st February, 1800, ante, p. 24.

‡ This was the gaol situated on the site where Essex-street now joins George-street. See vol. iii, p. 696 (note).

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2 Feb.
The powder
magazine.

I must here take an opportunity of observing that our powder magazine, which is, in our present circumstances, a bad and ill contriv'd building, stands in a most dangerous and insecure situation, and is in want of much repair, and this must be immediately erected where it will be more secure. I have mark'd out its foundations, but I am oblig'd to hire capable workmen to raise the building, which shall be done at as easy a rate as I possibly can.

Need for a
new
magazine.

With such description of persons as we have lately receiv'd from Ireland,* I trust your Grace will be of opinion that our magazine of powder cannot be too well secur'd. The present might with little trouble be readily destroy'd, a circumstance which would dreadfully reduce our power over so numerous a body of that turbulent description as we have now in this colony.

I have, &c.,

JNO. HUNTER.

[Enclosure, No. 1.]

COLONEL PATERSON TO GOVERNOR HUNTER.

Dear Sir,

Sydney, 1st February, 1800.

The
reduction in
soldiers'
rations.

Since I had an opportunity of conversing with you respecting the ration now about to be reduced, the stores not being sufficient to admit a full one to the troops, the following has occur'd to me, which I beg leave to submit to your Excellency's consideration: whether it would not be better to put them on the same allowance as the rest of the colony, and not to make any deduction from their pay, untill you have further instructions from Government.

The high
price of
provisions.

I have no doubt but this plan would be approved of at home, particularly if the high price of every kind of provision was pointed out, and that the few half-pence remitted as short allowance money was by no means equivalent to the full ration. A representation on this subject would show the necessity of supplying the colony more regularly.

As it is also possible another reduction may be requisite before an arrival takes place, I hope your Excellency will see no impropriety in adopting this measure.

I am, &c.,

W. PATERSON.

[Enclosure, No. 2.]

GAOL COMMITTEE TO GOVERNOR HUNTER.

Sir,

Sydney, 1st February, 1800.

Erection of
the new
gaol.

As members of the committee appointed to superintend and conduct the erection of the public gaol, we feel ourselves compelled to state to your Excellency that the sums arising from the assessment on lands and servants are by no means adequate to defraying the expence of this most necessary building.

Many of the inhabitants (partly from inability, and partly from want of good will) have not yet come forward with their proportion

* By the Minerva (ante, p. 17).

of money, although the resolutions have passed at a meeting of the gentlemen, and requisitions have been made upwards of five months since, and we are doubtfull that numbers will never be able to pay at all. But supposing the whole assessment to be collected, the sum arising from this source will only amount to nine hundred and fifty pounds, and of this charge some of the gentlemen have paid from thirty to forty guineas individually.

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2 Feb

Subscriptions from public inadequate.

Major Foveaux and myself have advanced the one five hundred pounds and the last two hundred and fourteen pounds thirteen shillings, and this we have done purely from a desire to serve the public, and to obviate as much as possible any difficulty in forwarding the work, being thoroughly convinced that nothing is so essentially requisite to the preservation of good order, and the punishment of offenders in this settlement, as a proper and secure prison, which the present one is intended to be.

Money advanced by Balmain and Foveaux.

We are sorry to assure your Excellency that the building is nearly at a stand for the want of means to carry it on, and at present we have not any immediate prospect of being able to raise funds to compleat the work.

The building at a standstill.

We have, therefore, to beg that your Excellency will lend the sum of one thousand pounds on account of Government, for the purpose of enabling us to finish without loss of time a building which you are well aware is at all times necessary here, but now become doubly so from the increase of inhabitants, and the influx of prisoners, who have avowed their determination of diffusing the spirit of sedition throughout the settlement, and of eventually subverting the Government.

£1,000 wanted.

Every proper measure that we can devise shall be adopted for raising money to discharge those debts, and we also request to be favoured with your Excellency's advice on this subject, it being our earnest wish to refund what we borrow as speedily as possible.

We have, &c.

W. BALMAIN.

J. FOVEAUX.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

6th February, 1800.

6 Feb.

I have the honor to enclose a return of such lands as have been granted under the seal of this territory since the 1st of August, 1796, together with a return of superintendents, store-keepers, and others, as are necessarily employed in His Majesty's settlement of New South Wales and its dependencies.

Land grants.

I have, &c.,

JNO. HUNTER.

[Enclosure No. 1.]

AN Account of Lands Granted or Lensed in His Majesty's Territory of New South Wales and its Dependencies by His Excellency Governor Hunter from the 1st August, 1796, to the 1st January, 1800, both days inclusive.

Time when granted.	Name.	Quality.	No. of Acres.	District where situate.	By whom given.
August, 1796	Ann Sherwin	Convict Free woman, wife to a sergeant in the N.S.W. Corps.	30 — lease	York Place Township of Sydney	Lieut.-Col. Paterson.
September, "		Convict	30	Toongabbie	do do
October, "	Mr. John Brabyn	Ensign in the N.S.W. Corps	19, lease	Norfolk Island	do do
"		Convict	23 "	do	do do
"		do	10 "	do	do do
December, "	Thomas Scully	Marine	60, grant	do	Governor Phillip.
"		Convict	12 "	do	do do
"		do	34; lease	do	Lieut.-Gov'r King.
"		do	10 "	do	do do
"		do	20 "	do	do do
"		Convict's child	40 "	do	do do
"	James Redman	Late a marine, now private in N.S.W. Corps.	41 "	do	Governor Phillip.
"		Convict	10 "	do	Lieut.-Gov'r King.
30 "		do	10 "	do	do do
30 "		do	72 "	do	do do
30 "		do	22 "	do	do do
30 "		do	33, grant	do	do do
30 "		do	60, lease	do	do do
30 "		do	10, grant	do	do do
30 "		Convict's child	12, lease	do	do do
30 "		Convict	24, grant	do	do do
30 "		do	12, lease	do	do do
30 "		do	12 "	do	do do
30 "		do	24 "	do	do do
30 "		do	12 "	do	do do
30 "		do	12 "	do	do do
30 "		do	10 "	do	do do
30 "		do	10 "	do	do do
30 "		do	10 "	do	do do

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Enclosure No. 1—continued.

Time when granted.	Name.	Quality.	No. of Acres.	District where situated.	By whom given.
20 December, 1796	—	Convict	10, lease	Norfolk Island	Lieut.-Gov'r King.
30 "	"	do	10 "	do	do
30 "	"	do	14, grant	do	do
30 "	"	do	12, lease	do	do
30 "	"	do	12 "	do	do
30 "	"	do	10 "	do	do
30 "	"	do	10 "	do	do
30 "	"	do	10 "	do	do
30 "	"	do	12 "	do	do
30 "	"	do	12 "	do	do
30 "	"	do	12, grant	do	do
30 "	"	do	314, 320, lease	do	do
30 "	"	do	12, lease	do	do
30 "	"	do	30, grant	do	do
30 "	"	do	14, lease	do	do
30 "	"	do	30, grant	Mulgrave Place	Lieut.-Gov'r Grose.
30 "	"	do	30 "	do	do
30 "	"	do	30 "	do	do
30 "	"	do	30 "	Field of Mars	Lieut.-Col. Paterson.
30 "	"	do	30 "	do	do
1 May, 1797	Mr. John Piper	Lieutenant in the N.S.W. Corps	6	Parramatta	Governor Hunter.
1 "	Henry Waterhouse, Esq.	Commandant of H.M.S. Reliance	25	Liberty Plains	do
1 "	Mr. John Shortland	Lieutenant do	25	do	do
1 "	James Macraus	Formerly a marine, then private in N.S.W. Corps, now deceased	65	Mulgrave Place	Lieut.-Gov'r Grose.
1 "	John Howell, Robert Stephens, Stephen Gilbert, William McDonald, Thomas Rainbow, and John Lewis.	Privates in the N.S.W. Corps	150	do	do
1 "	William Mitchell				
1 "	Robert Watson	Mariner		Norfolk Island	Governor Phillip.
1 "	Peter Hibbs	Convict		do	Lieut. Gov'r King.
1 "		do	60, grant	do	Governor Phillip.

* Date of the month cut off in binding on one side of every page of the Registers in London Record Office.

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Enclosure No. 1—continued.

Time when granted.*	Name.	Quality.	No. of Acres.	District where situated.	By whom given.
1 May, 1797	Joseph Lewis	Formerly a marine, now a private in N.S.W. Corps	60, grant	Norfolk Island	Governor Phillip.
"	Charles Kerstige	Late a marine	60 "	do	do
"	James Proctor	Mariner	60 "	do	do
"	Isaac Fair	Late a marine	60 "	do	do
"	James Painter	Mariner	60 "	do	do
"	William Kambley	do	60 "	do	do
"	do	do	60 "	do	do
"	do	Convict	30 "	Mulgrave Place	Lieut.-Gov'r Grose.
"	do	do	30 "	Norfolk Island	Lieut.-Gov'r King.
"	John Drummond	Mariner	30 "	do	Governor Phillip.
"	Owen Cavanaugh	Convict	25, lease.	do	Lieut.-Gov'r King.
"	Samuel King	Late a marine	60, grant	do	Governor Phillip.
"	John Drummond	Acting beach master at Norfolk Island.	60 "	do	do
"	do	Private in the N.S.W. Corps	37, lease.	do	Lieut.-Gov'r King.
"	John Atkins	do	85, grant	Mulgrave Place	Lieut.-Gov'r Grose.
"	John Brown	Convict	25 "	do	do
"	do	do	30 "	Toongabbe	Lieut.-Col. Paterson.
"	George Chestland	Private in the N.S.W. Corps	30 "	do	do
"	Richard Oldwright	do	25 "	Mulgrave Place	do
"	do	Convict	30 "	Toongabbe	do
"	do	do	30 "	do	do
"	George Black	Private in the N.S.W. Corps	25 "	Mulgrave Place	do
"	William Goodall	do	25 "	do	do
"	John Pugh	do	25 "	do	do
"	William Nash	do	25 "	do	do
"	Thomas Cardinal	do	25 "	do	do
"	do	Convict	30 "	Toongabbe	Lieut.-Gov'r Grose.
"	do	do	25 "	do	Lieut.-Col. Paterson.
"	do	do	30 "	do	do
"	do	do	30 "	Mulgrave Place	Governor Hunter.
"	do	do	30 "	do	Lieut.-Col. Paterson.
"	do	do	30 "	do	do
"	do	do	30 "	do	Governor Hunter.
"	Jane Eazy	Free woman, wife of a convict	30 "	do	Lieut.-Col. Paterson.

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Enclosure No. 1—continued.

Time when granted.	Name.	Quality.	No. of Acres.	District where situate.	By whom given.
1 May, 1797	Thomas Bates	Drummer in the N.S.W. Corps	25, grant	Mulgrave Place	Lieut.-Gov'r Grose.
1 "	Ronald McDonald	Musician	25 "	Doongabbe	do do
1 "	"	Convict	30 "	Mulgrave Place	Lieut.-Col. Paterson.
1 "	"	do	30 "	do	do do
1 "	"	do	30 "	do	do do
1 "	Richard Nicholas	Non-com'd officer in the N.S.W. Corps.	25 "	do	Lieut.-Gov'r Grose.
1 "	Henry Fleming	Free settler	30 "	do	do do
1 "	"	Convict	60 "	Prospect Hill	Governor Hunter.
1 "	"	do	50 "	Field of Mars	Lieut.-Col. Paterson.
1 "	"	do	30 "	do	do do
1 "	Andrew Connolly	Privates in the N.S.W. Corps	30 "	Parramatta	Governor Hunter.
1 "	Griffiths, and Emanuel Perry	do	75 "	Mulgrave Place	Lieut.-Gov'r Grose.
1 "	John Williams	do	25 "	Field of Mars	do do
1 "	John Gardner	do	25 "	Mulgrave Place	do do
1 "	Thomas Tylor	Free settler	60 "	do	Lieut.-Col. Paterson.
1 "	"	Convict	30 "	do	do do
1 "	"	do	30 "	do	Lieut.-Gov'r Grose.
1 "	"	do	50 "	do	Governor Hunter.
1 "	"	do	30 "	do	do do
1 "	"	do	30 "	Prospect Hill	Lieut.-Col. Paterson.
1 "	"	do	50 "	Mulgrave Place	Lieut.-Gov'r Grose.
1 "	Jonas Bradley, Samuel Whitehead, and Samuel Higginson.	Non-com'd officers of the N.S.W. Corps.	75 "	do	do do
1 "	"	Convict	30 "	do	Lieut.-Col. Paterson.
1 "	"	do	30 "	do	Governor Hunter.
1 "	"	do	30 "	do	Lieut.-Col. Paterson.
1 "	William Smith, James Brumby, Thomas Brian, and Francis Wilkinson.	Privates in the N.S.W. Corps	100 "	do	Lieut.-Gov'r Grose.
1 "	"	Convict	30 "	Parramatta	Lieut.-Col. Paterson.

* Date of the month cut off in binding on one side of every page of the Registers in London Record Office.

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Enclosure No. 1—continued.

Time when granted.*	Name.	Quality.	No. of Acres.	District where situate.	By whom given.
1 May, 1797	James Robbs ..	Convict	50, grant	Field of Mars ..	Lieut.-Col. Paterson.
1 "	Thomas Holtham ..	Private, N.S.W. Corps	25 "	do	Lieut.-Gov'r Grose.
10 "	"	do	25 "	Prospect Hill ..	do
10 "	"	Convict	30 "	Field of Mars ..	Lieut.-Col. Paterson.
10 "	"	do	50 "	Prospect Hill ..	Governor Hunter.
10 "	"	do	30 "	Mulgrave Place ..	Lieut.-Col. Paterson.
10 "	"	do	30 "	Prospect Hill ..	Lieut.-Col. Paterson.
10 "	"	do	40 "	Mulgrave Place ..	Governor Hunter.
10 "	Mr. Charles Grimes ..	Deputy Surveyor	90 "	Parramatta ..	Lieut.-Col. Paterson.
10 "	Thomas Westmore ..	Privates in the N.S.W. Corps	21, lease	"	Governor Hunter.
— June	William Anderson.	Privates in the N.S.W. Corps	50, grant	Mulgrave Place ..	Lieut.-Gov'r Grose.
"	"	Convict	30 "	do	Lieut.-Col. Paterson.
"	"	do	30 "	do	do
"	"	do	30 "	Field of Mars ..	Governor Hunter.
"	"	do	30 "	do	do
"	"	do	30 "	Mulgrave Place ..	Lieut.-Col. Paterson.
"	"	do	40 "	do	Governor Hunter.
"	"	do	33 "	do	Lieut.-Col. Paterson.
"	William Tierman ..	Private in the N.S.W. Corps	25 "	do	Lieut.-Col. Paterson.
"	"	Convict	40 "	do	Governor Hunter.
"	"	do	30 "	do	Lieut.-Gov'r Grose.
"	"	do	30 "	do	Lieut.-Col. Paterson.
"	"	do	30 "	do	do
"	"	do	30 "	do	Governor Hunter.
"	"	do	30 "	do	Lieut.-Gov'r Grose.
"	Fr'm's Burnell & James Bayliss	Privates in the N.S.W. Corps	50 "	Toongabbe ..	Governor Hunter.
"	"	Convict	30 "	Mulgrave Place ..	Lieut.-Gov'r Grose.
"	"	do	33 "	do	Lieut.-Col. Paterson.
1 "	"	do	30 "	do	Governor Hunter.
1 "	"	do	30 "	do	Lieut.-Gov'r Grose.
3 August,	Thomas Lucas ..	Ensign in the N.S.W. Corps	— lease	Sydney, Port Jackson	Lieut.-Col. Paterson.
3 "	William Jamieson ..	Late a marine	60, grant	Norfolk Island ..	Governor Hunter.
28 "	William Kent, Esq. ..	Ser't.-Major of the N.S.W. Corps	100, grant	Sydney, Port Jackson	do
3 September,	Mr. Thomas Laycock ..	Lieut. commanding H.M.S. Buffalo	28, lease	Eastern Farms ..	do
17 October,	Henry Waterhouse, Esq.	Deputy Commissary	41, grant	Sydney, Port Jackson	do
23 November	Henry Waterhouse, Esq.	Commander of H.M.S. Reliance	— lease	Parramatta ..	do
"	"	do	"	Sydney, Port Jackson	do

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6 Feb.

Enclosure No. 1--continued.

Time when granted.*	Name.	Quality.	No. of Acres.	District where situated.	By whom given.
5 December, 1797	Nathaniel Franklin	Free man	— lease	Sydney, Port Jackson	Governor Hunter.
20 " "	William Harrison	Convict	50, grant	do	do
1 January, 1798	Mr. William Broughton	Private in the N.S.W. Corps	25 " "	do	do
1 " "	Mr. William Broughton	Convict	64, lease	Mulgrave Place	do
1 " "	Mr. George Bass	Storekeeper at Parramatta	25 " "	Parramatta	do
1 " "	Charles Whelan, Henry Hughes, and John Robertson.	Convict	11 " "	Sydney, Port Jackson	do
1 " "		Surgeon of H.M.S. Reliance	100, grant	Banks Town	do
1 " "		Privates in the N.S.W. Corps	75 " "	Mulgrave Place	Lieut.-Col. Paterson, Governor Hunter.
1 " "		Convict	30 " "	do	do
1 " "	Rev. Samuel Marsden	do	30 " "	do	do
1 " "		Chaplain to the Colony	— lease	Parramatta	Lieut.-Col. Paterson.
1 " "		Convict	50, grant	Toongabbie	Governor Hunter.
February,	Edward Johnson	do	20 " "	Mulgrave Place	Lieut.-Col. Paterson.
" "	Mr. Thomas Davies	Private in the N.S.W. Corps	25 " "	do	Governor Hunter.
" "		Lieutenant in the N.S.W. Corps	100 " "	Parramatta	Lieut.-Col. Paterson.
" "		Convict	30 " "	Mulgrave Place	Governor Hunter.
" "		Free woman, wife of a convict	60 " "	Eastern Farms	Governor Hunter.
" "		Private in the N.S.W. Corps	25 " "	Mulgrave Place	Lieut.-Col. Paterson.
" "	Lauchlan Ross	Convict	30 " "	do	do
" "		Acting Judge Advocate	145 " "	Parramatta	Governor Hunter.
20 March,	Richard Atkins, Esq.	Convict	20 " "	Mulgrave Place	do
20 " "	John Powell	Private in the N.S.W. Corps	35 " "	do	Lieut.-Col. Paterson.
6 April,	George Johnston, Esq.	Captain in the N.S.W. Corps	173 " "	Banks Town	Governor Hunter.
6 " "	James Healy	Late a marine	100 " "	do	do
6 " "	Michael Murphy	do	60 " "	do	do
6 " "	John Winsted	do	300 " "	do	do
10 " "		Convict	50 " "	Eastern Farms	Lieut.-Col. Paterson.
10 " "	Henry Lamb	Private in the N.S.W. Corps	35 " "	Mulgrave Place	Lieut.-Gov'r Grose.
10 " "		Convict	30 " "	Eastern Farms	Governor Hunter.
10 " "		do	60 " "	do	do
10 " "		do	30 " "	do	do
10 " "		do	80 " "	do	do
10 " "		do	30 " "	do	do

* Date of the month cut off in binding on one side of every page of the Registers in London Record Office.

1800
6 Feb.

Enclosure No. 1—continued.

Time when granted.*	Name.	Quality.	No. of Acres.	District where situate.	By whom given.
10 April, 1798	Stephen Burr.	Convict	30, grant	Mulgrave Place	Governor Hunter.
10 "	William Marden	Private in the N.S.W. Corps	30 "	do	do
10 "		do	30 "	Liberty Plains	do
May,		Convict	25 "	Mulgrave Place	Lieut.-Col. Paterson.
"		do	30 "	Eastern Farms	do
"	Thomas Rose	do	30 "	do	Governor Hunter.
"	George Tilley	Free settler	25 "	Liberty Plains	do
"	William Balmain, Esq.	Private in the N.S.W. Corps	70 "	Mulgrave Place	Lieut.-Gov'r Grose.
July,	Rev. Richard Johnson	Principal Surgeon	105 "	Field of Mars	Governor Hunter.
"	James Williamson, Esq.	Chaplain to the Colony	4, lease	Sydney, Fort Jackson	do
"	Thomas Rowley, Esq.	Acting Commissary	40, grant	Concord	do
August,		Captain in the N.S.W. Corps	85 "	Banks Town	do
"		Convict	70 "	Mulgrave Place	do
January, 1799	Mr. Robert Turnbull	Master of the Britannia transport.	— lease	Sydney, Fort Jackson	Do., but formerly by
"	Joseph Foveaux, Esq.	Major in the N.S.W. Corps	25, grant	Mulgrave Place	Lt.-Col. Paterson.
March,	Mr. John Black	Late Purser of the Lady Shore transport.	— lease	Sydney, Fort Jackson	Governor Hunter.
April,	Richard Dore, Esq.	Judge Advocate	100, grant	Mulgrave Place	do
"	John Bowman	Free settler	100 "	do	do
"	Mr. Thomas Arndell	Late Assistant Surgeon, now Justice of the Peace.	130 "	Dundas District	do
16 "	Rev. Samuel Marsden	Chaplain to the Colony	100 "	do	do
16 "	Francis Oakes	Missionary from Otaheite	100 "	do	do
20 "	Rowland Hassall	do	100 "	do	do
22 "	James Cover	do	100 "	do	do
26 "	Mr. John Jamieson	Storekeeper at Toongabbie	100 "	Toongabbie	do
27 "		Convict	30 "	do	do
1 May,	John Kennedy	Free settler	30 "	Prospect Hill	do
8 "	Mr. James Millicham	Assistant Surgeon	160 "	Dundas District	do
17 "	Mr. Thomas Laycock	Deputy Commissary	160 "	Liberty Plains	do
21 "	Edward Main	Missionary from Otaheite	100 "	Mulgrave Place	do
27 "	William Faithful	Private in the N.S.W. Corps	25 "	Petersham Hill	do
28 "	William Barber	Late a marine	60 "	Banks Town	Lt.-Col. Paterson.
29 "	James Angle	do	140 "	do	Governor Hunter.

* Date of the month cut off in binding on one side of every page.

LAND GRANTS.

45

Enclosure No. 1—continued.

Time when granted.*	Name.	Quality.	No. of Acres.	District where situate.	By whom given.
31 May, 1799	Thomas Brannwell ..	Late a marine	150, grant	Banks Town ..	Governor Hunter.
1 June, "	Mr. Thomas Smyth ..	Formerly of the marines, now Provost-Marshal.	" "	do ..	do
" "	Henry Waterhouse, Esq.	Commander of H.M.S. Reliance	— lease	Sydney, Port Jackson	do
" "	"	Convict	30, grant	Prospect Hill ..	do
" "	"	do	80 "	Banks Town ..	do
" "	"	do	70 "	Prospect Hill ..	do
" "	"	do	20 "	Mulgrave Place	do
" "	"	do	30 "	do	do
" "	"	do	30 "	do	do
" "	"	do	30 "	do	do
" "	"	do	30 "	do	do
" "	"	do	30 "	do	do
" "	"	do	60 "	do	do
" "	"	do	60 "	do	do
" "	"	do	30 "	do	do
" "	William Kent, Esq.	Lieut. Commanding H.M.S. Buffalo	160 "	Eastern Farms	do
" "	William Belmain, Esq.	Principal Surgeon	220 "	Field of Mars ..	do
" "	Thomas Rowley, Esq.	Captain in the N.S.W. Corps	250 "	Liberty Plains	do
1 October, "	"	Convict	" "	Mulgrave Place	do
" "	"	do	30, grant	do	do
3 "	Joseph Foreaux, Esq.	Major in the N.S.W. Corps	940 "	Toongabbé ..	Lt.-Govr. Grose.
8 "	Rev. Richard Johnson	Chaplain to the Colony	250 "	Peterbham Hill	Governor Hunter.
5 "	Ann Gilbert ..	Marine's widow	110 "	Banks Town ..	do
5 October, "	Mr. Thomas Moore ..	Master boat-builder ..	470 "	Bulanaming ..	By different Govern- ors, but renewed in one grant by Governor Hunter.
7 "	Thomas Rowden, Esq.	Late a marine	150 "	Mulgrave Place	Governor Hunter.
7 "	George Johnston ..	Captain in the N.S.W. Corps, formerly Provost-Marshal	250 "	Peterbham Hill	do
8 "	Mr. Thomas Smyth ..	"	470 "	Bulanaming ..	By different Govern- ors, but renewed in one grant by Governor Hunter.
8 "	William Kent, Esq.	Lieut. Comm'r H.M.S. Buffalo	— "	Sydney, Port Jackson	Governor Hunter.

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1800

6 Feb.

1800

6 Feb.

Enclosure No. 1—continued.

Time when granted.	Name.	Quality.	No. of Acres	District where situated.	By whom given.
October, 1789	Mr. Nicholas Bayly	Ensign in the N.S.W. Corps	116, grant	Eastern Farms	Governor Hunter.
"	Mr. Nicholas Divine	Superintendent	90 "	Bu'anaming	do do
"	"	Convict	80 "	Mulgrave Place	do do
"	do	do	85 "	Toongabbie	do do
"	Thomas Rowley, Esq.	Captain in the N.S.W. Corps	150 "	Liberty Plains	Lt.-Col. Paterson.
"	Mr. Nicholas Bayly	Ensign do	65 "	Mulgrave Place	Governor Hunter.
"	Thomas Whittle	Non-com. officer in N.S.W. Corps	90 "	Banks Town	do do
"	William Goodhall	do	270 "	Toongabbie	do do
"	Richard Richardson	Private do	160 "	do	do do
"	do	Convict	30, lease	do	do do
"	Mr. Anthony Fenn Kemp	Lieutenant in the N.S.W. Corps	—	Sydney, Port Jackson	do do
"	James Williamson, Esq.	Acting Commissary	2a, 57r., lease	Parramatta	do do
"	Richard Atkins, Esq.	Registrar of the Vice-Admiralty Court, and Justice of the Peace.	4, lease.	do	do do
"	do	Convict	4a, 96r., lease.	do	do do
"	Mr. Thomas Arndell	Late Assistant Surgeon, now Justice of the Peace.	1 "	do	do do
"	Thomas Bradley	Free settler	1 "	do	do do
"	Rowland Hassall	Missionary from Otaheite, and free settler.	1 "	do	do do
"	Andrew McDougal	Free settler	1 "	do	do do
"	John Smith	do	1 "	do	do do
"	Mr. D'Arcy Wentworth	Assistant Surgeon	6a, 20r., lease.	do	do do
"	do	Convict	30, grant	Mulgrave Place	do do
"	do	do	30 "	York Place	do do
"	do	do	30 "	Eastern Farms	do do
"	do	do	50 "	Prospect Hill	do do
"	do	do	30 "	Mulgrave Place	do do
"	do	do	200 "	do	do do
"	James Kirby	Late a marine	17 1/2 "	do	do do
"	James Mathews	do	30 "	do	do do
"	George Mahon	Mariner	30 "	do	do do
"	Benjamin Quayley	Late a marine	30 "	do	do do
"	do	Convict	25 "	do	do do
"	John Roberts	Private in N.S.W. Corps	25 "	do	do do
"	Charles Robinson	do	1, lease	Sydney, Port Jackson	Lt.-Col. Paterson.
"	do	do	do	Parramatta	Governor Hunter.

LAND GRANTS.

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1880

6 Feb.

Enclosure No. 1--continued.

Time when granted.*	Name.	Quality.	No. of Acres.	District where situated.	By whom given.
24 October, 1790	Mr. John Piper	Lieutenant in the N.S.W. Corps	Sa. 135r., lease	Parramatta	Governor Hunter.
12 "	"	Convict	30, grant	Toongabbé	do do
12 "	Charles Griffiths	do	30 "	do	do do
12 "	William Smith	Free settler	100 "	Prospect Hill	do do
12 "	William Jamieson	Missionary from Otaheite	100 "	York Place	do do
12 "	Obadiah Ikin	Sergeant-Major in the N.S.W. Corps	100 "	Banks Town	do do
12 "	"	Non-commissioned officer in the N.S.W. Corps.	60 "	"	do do
12 "	Mr. William Raven	Convict	130 "	Toongabbé	do do
12 "	"	Commander of H.M.S. Buffalo to N.S.W.	285 "	Eastern Farms	Lt.-Col. Paterson.
12 "	Mr. William Raven	do	"	Sydney, Port Jackson	do do
12 "	Charles Watson	Private in the N.S.W. Corps	140, grant	Banks Town	Governor Hunter.
12 "	"	Convict	75 "	Mulgrave Place	do do
12 "	"	do	30 "	Eastern Farm	do do
12 "	"	do	30 "	Bulanaming	do do
12 "	William King	Private in the N.S.W. Corps	50 "	Eastern Farms	Lt.-Col. Paterson.
12 "	"	Convict	35 "	Mulgrave Place	do do
12 "	"	do	60 "	Petersham Hill	Governor Hunter.
12 "	"	do	30 "	do	do do
12 "	"	do	30 "	Toongabbé	do do
12 "	"	Convict	40 "	Prospect Hill	do do
12 "	"	do	30 "	Toongabbé	do do
12 "	William Mitchell	Late a marine	50 "	Banks Town	do do
12 "	"	Convict	25 "	Mulgrave Place	Lt.-Col. Paterson.
12 "	James Harris	Private in the N.S.W. Corps	25 "	Prospect Hill	do do
12 "	"	Convict	35 "	Toongabbé	Governor Hunter.
12 "	John Anson	Free settler	100 "	do	do do
12 "	Mr. William Cummings	Lieutenant in the N.S.W. Corps	75 "	Prospect Hill	Lt.-Col. Paterson.
12 "	James Bean	Free settler	100 "	Toongabbé	Governor Hunter.
12 "	Isaac Tarr	Late a marine	40 "	Field of Mars	do do
12 "	"	do	30 "	Eastern Farms	do do
12 "	"	Convict	30 "	Toongabbé	do do
12 "	Mr. D'Arcy Wentworth	Assistant surgeon	140 "	Parramatta	do do
12 "	William Browning	Late a marine	160 "	Toongabbé	do do

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1800
6 Feb.

Enclosure No. 1—continued.

Time when granted.	Name.	Quality.	No. of Area.	District where situate.	By whom given.
12 November, 1790	William Belmain, Esq.	Principal surgeon	270 grant.	Mulgrave Place	Governor Hunter.
12 "	Thomas Bradley	Free settler	100 "	Toongabbé	do do
12 "	Andrew McDougal	do	150 "	do	do do
12 "	John Smith	do	150 "	do	do do
12 "	William Nash	Late a marine	180 "	Mulgrave Place	do do
12 "	William Sherwin	Non-commissioned officer N.S.W. Corps	150 "	do	do do
December,	_____	Convict	30 "	Toongabbé	Lt.-Col. Paterson.
"	_____	do	30 "	do	Governor Hunter.
"	_____	do	30 "	do	do do
"	Edward Abbott, Esq.	Captain in the N.S.W. Corps	700 "	do	do do
"	do do	do	5 lease	do	do do
"	_____	Convict	4 "	Parramatta	do do
"	Mr. Thomas Hobbs	Lieutenant in the N.S.W. Corps	100 grant.	Mulgrave Place	do do
"	Mr. Robert Braithwaite	Lieut. Royal Navy	100 "	do	do do
"	_____	Convict	30 "	do	do do
"	_____	do	30 "	do	do do
"	William Birch	Private in the N.S.W. Corps	25 "	Eastern Farms	Lt.-Col. Paterson.
"	Peter Farrell	Non-com'd officer of do.	55 "	Mulgrave Place	do do
"	Joseph Foveaux, Esq.	Major in do	190 "	do	Lt.-Gov't. Greig.
"	_____	Convict	30 "	Toongabbé	Governor Hunter.
"	_____	do	20 "	do	do do
"	_____	do	40 "	Prospect Hill	do do
18 "	John Fleming	Non-commissioned officer N.S.W. Corps.	40 lease	(do)	do do
1 January, 1810	_____	do	do	Sydney, Port Jackson	do do
1 "	Mary Bray	Free woman	40 grant.	Mulgrave Place	do do
1 "	_____	Convict	25 "	Concord	do do
1 "	_____	do	30 "	Mulgrave Place	do do
1 "	_____	do	30 "	do	do do
1 "	_____	do	30 "	Toongabbé	do do
1 "	_____	do	30 "	Prospect Hill	do do
1 "	_____	do	30 "	do	do do
1 "	Mr. Nicholas Bayly	Ensign in the N.S.W. Corps	450 "	Eastern Farms	do do
1 "	Mr. John Shortland	Lieutenant of H.M.S. Reliance	900 "	do	do do
1 "	Mr. Matthew Flinders	do	800 "	Banias Town	do do
1 "	_____	Convict	12 "	Norfolk Island	do do

• Date of the month cut off in blindling on one side of the Radiators in London Record Office

SUPERINTENDENTS AND STOREKEEPERS.

49

[Enclosure No. 2.]

1800

NAMES OF SUPERINTENDANTS AND STOREKEEPERS employed in His Majesty's territory of New South Wales and its dependencies.

2 Feb.

Superintendents and storekeepers.

Nicholas Divine, superintends the town labor at Sydney.

William Brodie, master blacksmith at Sydney.

James Bloodworth, master bricklayer at Sydney.

John Livingston, master carpenter at Parramatta.

George Barrington, superintends the duty of the constables, and takes care that they duly attend to the orders of the Civil Police.

John Gowan (*vice* Wm. Stephenson, deceased), storekeeper at Sydney.

William Broughton, storekeeper at Parramatta.

William Baker, storekeeper at the Hawkesbury.

John Jamieson, has the care of receiving and issuing the grain at Parramatta and Toongabbe, under the immediate direction of the Commissary.

Richard Fitzgerald, superintendant of agriculture at Toongabbe.

Andrew Hume, employed in the care of Government live stock.

AT NORFOLK ISLAND.

Norfolk Island.

William Neate Chapman, storekeeper and acting as Deputy Commissary.

Martin Timms, superintendent of agriculture.

Nathaniel Lucas, master carpenter.

John Drummond, attendant beach master.

JNO. HUNTER.

LIEUTENANT-GOVERNOR KING TO LIEUTENANT GRANT.

(King Papers.)

Dear Sir,
Cape of Good Hope,
6th February, 1800.

6 Feb.

After a pleasant and expeditious passage of 72 days from England, I arrived here the 3rd instant, and hope to sail the 13th or 14th.

King arrives at the Cape.

I hope your passage has been equally expeditious and that you have found the *Lady Nelson* everything you wish. I must beg to observe to you that at this time of the year you will go between the Cape of Good Hope and New Holland you will meet heavy gales and high seas. It is true the wind is always fair, but still the gales are long and heavy. If you are satisfied with the vessel

Summer winds over the Indian Ocean.

1800

6 Feb.

and her qualities, and that she scuds and lies-to well, I think there is little danger in your coming on ; but if you have found her at all deficient I would recommend your remaining here under the Admiral's command (to whom I have spoken on the subject) until October, or the latter end of September.

Running
down the
eastings.

I would advise you to sound your easting down in the parallel of 40°, where you will be sure of steady and strong westerly winds. When you have passed the S. Cape I would not advise you to make the land again to the south of 34° 40', as gales of wind may be expected on the coast at all seasons of the year.

I am, &c.,

PHILIP GIDLEY KING.

LIEUTENANT-GOVERNOR KING'S APPOINTMENT TO THE RELIANCE.

(King Papers.)

Admiralty, 6th February, 1800.

To Capt'n Philip Gidley King, hereby appointed Captain of His Majesty's armed vessel the Reliance.

King
appointed
Captain of
the Reliance.

By virtue of the power and authority to us given, we do hereby institute and appoint you captain of His Majesty's armed vessel the Reliance, willing and requiring you forthwith to go on board and take upon you the charge and command of captain in her accordingly, strictly charging and commanding all the officers and company of the said armed vessel to behave themselves jointly and severally in their respective employments, with all due respect and obedience unto you, their said captain ; and you likewise, to observe and execute the general printed instructions, and such orders and directions as you shall from time to time receive from us, or any other your superior officers, for His Majesty's service. Hereof nor you nor any of you may fail, as you will answer the contrary at your peril, and for so doing this shall be your warrant.

Given under our hands.

J. GAMBIER.

W. YOUNG.

J. WALLACE.

LIEUTENANT-GOVERNOR KING TO UNDER-SECRETARY KING.*

(King Papers.)

"Speedy," Cape of Good Hope,

8th February, 1800.

8 Feb.

Lieutenant-
Governor
King at the
Cape.

Dear Sir,

After a 72 days' passage from England I arrived here on the 3rd instant, and hope to sail the 13th or 14th for Port Jackson,

* A private letter.

HOSPITAL REQUIREMENTS.

51

where I hope to arrive early in April.* I found the Buffalo here. 1800
She sailed the 6th, on her return to New South Wales with cattle. 8 Feb.
I understood the Reliance was to sail for England in December.

As water engines are absolutely necessary for working the water Engines for
out of any coal pits that may be dug, I beg to suggest the neces- the coal-
sity of two large engines being sent as soon as possible that no mines.
detention may occur in trying for coals.

I am, &c.,

PHILIP GIDLEY KING.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,
10th February, 1800. 10 Feb.

My Lord Duke,
I inclose for your Grace's perusal a letter which I have Hospital
just receiv'd from the Principal Surgeon on the subject of hospital necessities.
stores and necessaries for the sick, all of which are exceedingly
wanted. I also send a state of the sick and hurt within the
settlement.

I will take this opportunity of inclosing for your Grace's infor-
mation a return of superintendents and storekeepers in this
colony and at Norfolk Island, with the particular manner in which
they are respectively employ'd.†

I have, &c.,

JNO. HUNTER.

[Enclosure No. 1.]

SURGEON BALMAIN TO GOVERNOR HUNTER.

Sydney General Hospital,
10th February, 1800.

Sir,
I have the honor of enclosing your Excellency a report of Balmain to
the sick, from the 31st of July, 1799, to the 31st of January, Hunter.
inclusive.

And I have to request you will be pleased to represent the ex-
treme distress of the hospital for the want of medicines, necessities,
bedding, stationery, and all kinds of utensils, demands for all of
which, setting forth the particular articles, have been pressingly
made by me upwards of two years since, and none of them have
as yet been answered.

I have, &c.,

W. BALMAIN.

* The Speedy arrived at Sydney on 16th April, 1800.

† This return of superintendents being a duplicate of that enclosed in Hunter's letter to
Portland of the 6th February, 1800, ante, p. 49, is omitted.

1800
10 Feb.
31 July, 1799,
to
31 Jan., 1800
Hospital
returns.
Births and
deaths.

[Enclosure No. 2.]

GENERAL State of Sick, Hurt, &c., in New South Wales, from the 31st July, 1799, to the 31st January, 1800.

Month.	Civil and Free People.			Convicts in Hospital and Quarters.			Births.			Deaths.								
	Men.	Women.	Children.	Men.	Women.	Children.	Civil and Free People.		Convicts.	Civil and Free People.			N.S.W. Corps in Hospital.	Convicts in Hospital and Quarters.				
							Males.	Females.		Men.	Women.	Children.		Men.	Women.	Children.		
							Males.	Females.		Males.	Females.							
August, 1790	..	2	4	4	2	73	16	8	..	4	1	..	..	6	2	1	Children.
September "	..	6	4	4	5	60	12	7	..	2	4	..	..	..	..	..	Women.
October "	..	3	3	3	4	70	23	10	..	6	3	..	..	1	..	1	Men.
November "	..	6	3	5	3	70	28	10	..	4	6	..	..	2	..	..	Children.
December "	..	4	4	4	4	60	20	0	..	5	3	..	..	4	..	..	Women.
January, 1800	..	5	1	4	6	71	15	10	..	3	8	..	..	2	3	2	Children.

General Hospital at Sydney, 10th Feby., 1800.

(Signed)

W. BALMAIN, Surgeon to the Territory.

GOVERNOR HUNTER TO CAPTAIN WATERHOUSE.

1800

Instructions.

12th February, 1800.

12 Feb.

THE very weak condition of His Majesty's ship *Reliance*, and the continual repairs she requires for enabling her to perform any service in this part of the world, renders it necessary she should, whilst in a condition to be carried, return to England.

H.M.S.
Reliance.

You are, therefore, hereby required and directed to proceed with His Majesty's ship *Reliance*, under your command, to Portsmouth, or such other port on the coast of England as you can reach, and upon your arrival* give information thereof to the Right Hon'ble the Lords Commissioners of the Admiralty, together with an account of the state and condition of, and any other circumstances relating to, the ship. And whereas you will receive into your charge my dispatches addressed to His Grace the Duke of Portland, one of His Majesty's Principal Secretaries of State, you will, should the service admit of it, proceed with them agreeably to the address; but if not consistent with the immediate service required for your attention, as commander of the *Reliance*, you will either send another officer or forward them by the post, as the public service may render proper.

Waterhouse
to sail for
England.Charged
with
despatches.

Should it be your misfortune, in so bad a ship as the *Reliance* is, to fall in with an enemy's ship of superior force, and be unable, from her very bad sailing, to effect your escape, you will in such case have my despatches prepared for sinking and throw them overboard, to prevent the enemy from receiving any information respecting our concerns in this colony, and for which this shall be your orders.

Directions if
meeting
with enemy.

Given under, &c.,

JNO. HUNTER.

GOVERNOR HUNTER TO CAPTAIN WATERHOUSE.

Instructions.

12th February, 1800.

His Majesty's ship *Reliance* being ordered to return to England, and no other ship of His Majesty's belonging to this station at present in this country, in order that I should continue to hold that naval authority which His Majesty has been graciously pleased to consider necessary for the Governor of this territory, you are hereby requested and directed to continue me upon the books of the *Reliance*, but to be checked from the Victualling Book until you arrived at the Island of St. Helena, and on your departure from thence for England to discharge me,† as by that time it is possible His Majesty's ship *Buffalo* may be returned from the Cape.

Hunter's
naval rank.He proposes
to transfer
to the
Buffalo.

Given under, &c.,

JNO. HUNTER.

* The *Reliance* arrived in England on 26th August, 1800. Post, p. 119.

† In obedience to this order, Waterhouse ceased to continue Hunter on the books of the *Reliance* on the 31st May, 1800. After Waterhouse arrived in London he was promoted to the rank of First Captain, *vice* Hunter (discharged). Upon the *Buffalo*'s arrival at Sydney Hunter appointed himself Principal Commander, and Lieutenant William Kent Second Commander. Post, p. 69.

1800

UNDER-SECRETARY KING TO SECRETARY NEPEAN.

15 Feb.

Sir,

Whitehall, 15th February, 1800.

P. G. King
to rank as
Commander
of H.M. ships
on the
station.

Referring you to the Duke of Portland's letter to the Lords of the Admiralty of the 3rd instant, acquainting their Lordships with His Majesty's pleasure that Governor King should have such a naval appointment as Governor Hunter had, or such other as will enable him to give orders to His Majesty's ships stationed at New South Wales, I am directed by His Grace to desire that you will submit to their Lordships (as the *Lady Nelson* and *Porpoise*, which is the name of the vessel that is to replace the old *Porpoise**, are about to depart for that settlement), the proprietary of sending out the necessary instruments for that purpose in one of those vessels, and a duplicate of the same in the other.

I am, &c.,

J. KING.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

My Lord Duke,

Sydney, New South Wales,

15th February, 1800.

General
state of the
colony.

I have the honor to enclose for your Grace's information a general state of the colony to the 1st of January, which I hope may be satisfactory to your Grace.†

Live stock
and wheat.

I also enclose a return of live stock up to the present date, and likewise the quantity of wheat reaped this last harvest; but I am sorry to add that much of it has been damaged by a very wet season. From these accounts, and the number of people in the settlement‡ (many of whom are, from age and infirmities from infancy and want of parents capable of providing for them, are exceeding burthen to Government), will serve to show the truth of what I have so often endeavoured to point out,—that the live stock in this colony ought not, in my judgement (except hogs), to be applied to the feeding the people for a few years to come, when it may, if taken care of, be increased to a number which will admit of it. I earnestly wish it were the will of Government to afford respectable and proper persons to take the care and management of the live stock and of the agricultural concerns, if it is the design to farm largely on the public account; for the Governor of this country, were he even in point of judgement of such concerns well qualified for such duties, has too much business in the

Preservation
of live stock.

* The vessel which replaced the old *Porpoise* was a Spanish prize to the *Argo*. She was of the same dimensions as the old *Porpoise*, and at the time of her capture had but recently been launched from the Spanish dockyard at Bilbao. Her name before the capture was the "*Infanta Amelia*." Vol. iii, p. 723 and note.

† This tabular statement of the condition of the colony bore date 31st December, 1799, and will be found in vol. iii, p. 749.

‡ The total population of the settlement, according to the statement enclosed in this letter, was 5,100.

LIVE STOCK AND WHEAT.

55

present state of this colony to afford him time to superintend as 1800
often as might be requisite those important and valuable concerns. 15 Feb.

I have, &c.,

JNO. HUNTER.

[Enclosure.]

AN ACCOUNT of Live Stock, and an estimate of Wheat in His Live stock
Majesty's Settlement in New South Wales, February, 1800. and wheat.

Department.	Cattle.				Sheep.		Goats.		Swine.		Grain. Wheat in bushel.
	Mares.	Horses.	Cows.	Bulls and Oxen.	Males.	Females.	Males.	Females.	Males.	Females.	
Government	16	5	387	149	186	357	15	8	10	11	2,280
Officers in General	75	48	197	96	2,379	2,266	718	813	190	234	11,590
Settlers	8	6	..	..	159	329	591	943	1,200	745	42,757
Total	99	59	584	245	2,724	2,952	1,324	1,764	1,400	990	56,627

JNO. HUNTER.

ASSISTANT-SURGEON JAMISON TO THE DUKE OF PORTLAND.

Your Grace

Sydney, 16th Feb'y, 1800.

16 Feb.

I trust will pardon the liberty I take of laying my griev- Assistant-
ance before your Grace, as it so materially affects me in the line surgeon
of succession to which I conceive I have an undoubted right from Jamison's
my past services. I have served His Majesty upwards of twenty services.
years, and have done the duty of assistant surgeon from the first
settlement of this colony until the present period, during which
time I dare affirm that I conducted myself with propriety, as my
certificates will bear testimony.

In February, 1788, when Lieut.-Governor King was ordered to Accom-
settle Norfolk Island, I was directed by Governor Phillip to panied King
accompany him as assistant surgeon. My conduct being approved to Norfolk
of, and assistant surgeons much wanted in the colony, Governor Island.
Phillip appointed me on the 4th March, 1791*, a copy of which I
transmitted by the first opportunity, requesting it to be presented
for confirmation; but when I received my commission, to my great His
surprise I found it only bore date from the 10th October, 1793. commission
post dated.

* Thomas Jamison, before he was sent to Norfolk Island, was surgeon's first mate of H.M.S. Sirius (vol. i, part 2, p. 219). Phillip notified the Home Government of his appointment of Jamison as an assistant-surgeon of the settlement in March, 1791 (ib., p. 473). The commission to which Jamison alludes was dated 10th October, 1793, and will be found in vol. ii, p. 67. He obtained leave to return to England later in the year.

1800 By this alteration of date a Mr. Js. Thomson, by the date of his commission, was placed before me in the line of succession, although he only arrived in this colony in 1796, and had never served His Majesty before in any capacity whatever, and I who have served His Majesty upwards of twenty years am likely to be set aside (I am informed by a letter from my friend), through some mistake or neglect of the clerks in office. It may appear trivial to the public, but it is of the most serious consequence to me, as it not only deprives me of the succession, which is the only inducement that I could have to continue so long in the service of this colony, but it also places me in a most disagreeable situation at present, as I cannot obtain leave to depart from the colony; and as from the above statement of facts it must be obvious that no blame rests with me, and that it would be very hard that I should suffer for the mistakes of others, I have therefore most humbly to intercede that your Grace will condescend to take my application into consideration and be pleased to order those mistakes to be corrected and place me in my proper line of succession, which is next to Mr. Balmain, the present Principal Surgeon.

Significance
of the
oversight.

An
alternative.

If my request cannot be complied with, and that I am to be deprived of the succession, in that case I have only to solicit your Grace's permission to quit the colony by the first favourable opportunity, as my feelings will not permit me to serve under an assistant whom I know to be so much younger in the service than myself, and who can have no kind of claim to the succession whatever except from the mistake of office before alluded to. As I require nothing but what is common justice between man and man, I trust it will operate in my favour, and I remain, with the greatest respect,

Yours, &c.,

THOS. JAMISON.

Hunter's endorsement.

The above statement made by Mr. Jamison is perfectly correct and I conceive him to be thoroughly intitled to the succeeding of the chief surgeonship of this colony whenever it may fall vacant.

JNO. HUNTER.

THE REV. SAMUEL MARSDEN TO THE DUKE OF PORTLAND.

My Dear Duke, Sydney, N.S.W., 16th Feb'y, 1800.

The Revd.
Samuel
Marsden.

Some important changes having taken place in my family since my departure from England, which render it necessary for me to return, I shall feel myself happy if your Lordship will request His Majesty to grant me leave of absence for a short period, to enable me to settle my private affairs.*

I am, &c.,

SAMUEL MARSDEN.

* This application was not granted until some years afterwards. Marsden left the colony with Governor King in the early part of 1807, and returned to Sydney in 1810.

THE DUKE OF PORTLAND TO LIEUT. GRANT.

1800

Sir,

Whitehall, 21st February, 1800.

21 Feb.

I transmit to you inclosed the open instructions which, by His Majesty's commands, I have given to the Governor of New South Wales, and which are to be followed in making the surveys and discoveries, for which the Lady Nelson under your command has been fitted out and provided.

The Governor's instructions.

As vessels fitted out for this purpose have always been respected by the nations of Europe, notwithstanding actual hostilities may at the time have existed between them, and as this country has always manifested the greatest attention to other nations on similar occasions, as you will perceive by the letters written in favor of vessels employed in discoveries by France and Spain, copies of which you receive inclosed,* I have no apprehension whatever of your suffering any hindrance or molestation from the ships of either of those nations should you fall in with them. With this view, and the better to secure you against all hostility or interruption, the instructions inclosed, as well as this letter, are both left open, and you are to keep them so. You are also, on pain of His Majesty's utmost displeasure, to refrain on your part from making prize of, or from detaining or molesting the ships of any other nation, altho' they may be at war with His Majesty.

Protection of discovery vessels during war.

The Lady Nelson a non-combatant.

I am, &c.,

PORTLAND.

[Enclosure.]

THE DUKE OF PORTLAND TO GOVERNOR HUNTER.†

Sir,

Whitehall, 26th February, 1800.

You will receive this by the sloop, the Lady Nelson, which has been constructed and fitted out‡ for the purpose of prosecuting the discovery and survey of the unknown parts of the coast of New Holland, and of ascertaining, as far as is practicable, the hydrography of that part of the globe.

The Lady Nelson.

The Lady Nelson is provided with a complete set of instruments and every other article necessary for the attainment of that object, which are consigned to you, and are conformable to the inclosed list.§

A set of instruments.

You are to take care to furnish the officer employed under you in this service with the necessary instructions, wherein you will particularly take care, that he may be directed to examine with diligence, and to survey and plan with as much accuracy as circumstances will permit, all such coasts, and you will order him to take and to lay down upon his chart all such soundings as he

Instructions to commanding officers.

All coasts to be surveyed and soundings taken.

* These enclosures cannot now be found.

† This letter bears evident traces of the hand of Sir Joseph Banks.

‡ The Lady Nelson was one of the first sea-going vessels fitted with a movable or sliding keel; she was designed by Captain Schanck, one of the Transport Commissioners. For a full description of her design, see the "Narrative of a Voyage in the Lady Nelson, 1803."

§ This list of instruments is not available.

1800	shall think likely to prove useful for the guidance of those w
21 Feb.	may navigate along those shores in future ; to pay especial rega
Shoals to be charted,	to the examination and accurate delineation of all such harbor
and other observations taken.	as he shall discover and judge to be commodious for the recepti
	of shipping, and also of such shoals and other dangers as he m
	from time to time meet with ; to fix in all cases when in l
	power the position both in latitude and longitude of remarka
	headlands, bays, and harbours by astronomical observations, al
	to observe the variation of the needle and the right direction a
	course of the tides and currents, and to record all such observatio
	in his journal with the most minute exactness.
The southern coasts and Bass Strait.	The survey of the southern or south-western coast of t
	country appears to be of the most immediate importance. T
	probable benefits of the whale fishery, and the shortening t
	passage through the straits which are discovered to exist betwe
	the main and the groupe of islands known at present by the na
	of Van Diemen's Land, would be of high importance. The grou
	of islands themselves affording (as one of them is known to d
	an excellent harbour, is worthy of particular attention. Whe
Rivers to be explored,	any considerable river is discovered you are to order him to na
	gate up the same as far as the Lady Nelson can proceed wi
	safety, carefully planning the course and the banks of it, a
	noting the soundings as he proceeds, and to land as often as
	sees reason to suppose that any considerable variation has tak
	place, either in the productions of the soil or the customs of t
and mainland examined,	inhabitants, and to examine the country as far inland as he sh
	think it prudent to venture with the small number of persons w
	can be spared from the charge of the vessel, whenever the
	appears to him a probability of discovering anything useful to t
	commerce or manufactories of Great Britain. He will note in l
and a journal kept and natural products noted.	journal in all places where he shall land, either on the sea coast
	the banks of a river, his opinion of the comparative fertility of t
	soil, which may best be judged of by the size of the trees and t
	degree of vigour with which trees, shrubs, and plants appear
	him to grow, as also such articles of the produce of the soil a
	the manners of the inhabitants as he shall deem worthy of noti
	and in all places which appear to him of importance to Gr
	Britain, either on account of the convenience of the shelter :
	shipping or the probable utility of the produce of the soil, he is
Possession to be taken.	take possession in His Majesty's name, with the consent of t
	inhabitants, if any, under a discharge of musquetry and artille
	and to record the whole proceedings at length both in his logbo
	and his journal, and, if uninhabited, to set up some proper insc
Fruit and vegetable seeds to be planted,	tion as first discoverer and possessor. He is to plant such se
	of fruit trees and useful vegetables as he shall be supplied wi
	near to such landing places as he may discover, in which a s
	and commodious anchorage and easy landing render it likely tl

ships may hereafter frequent, and where the soil appears most fertile and productive, and to collect in all places such seeds of trees, plants, shrubs, and grasses as he shall find in a state of maturity and judge to be worthy of notice, either for their beauty, their particularity, or their possible utility, and to collect such specimens of vegetables, animals, and minerals as he shall think likely to prove interesting to naturalists at home.

1800
21 Feb.

and native
seeds
collected.

In case of any person being sent with him to assist him as a collector of natural history, he will confine himself in some degree to the more immediate business of the Naval Department, and at all times when he can be usefully employed in the business of surveying, he is to leave the collecting and preparing of seeds and specimens to the care of the collector.

Duties of
commander
and
collector.

He is to assist the collector as much as the nature of the service will permit by sending him in boats to such places as appear likely to be productive of curiosities, and by sparing men, both to assist him in carrying such heavy articles as he may have occasion for on shore, or as he may think proper to bring on board, as also to accompany him for his defence against the natives, and to facilitate as much as possible all such researches as tend to procure a knowledge of the natural history of the country, the customs of the inhabitants, and the advantages of the produce to the trade and manufactures of Great Britain. He is, however, to deliver to you on his return the original journals in which his proceedings of all kinds have been minuted, and the plans, charts, drawings, and sketches he has made tending to illustrate the hydrography, geography, or natural history of the country, and also all such seeds of plants, trees, and specimens of animals, vegetables, or minerals, and such articles of the dresses and arms of the natives as you shall think worthy the attention of His Majesty's Ministers or of the Royal Society, to be transmitted by you to His Majesty's Secretary of State for the Home Department.

Facilities to
be afforded
to the
collector.

All journals
and draw-
ings to be
delivered to
Hunter, and
by him sent
home.

I am, &c.,

PORTLAND.

UNDER-SECRETARY KING TO THE COMMISSIONERS OF THE NAVY.

Gentlemen,

Whitehall, 22nd February, 1800.

22 Feb.

I have laid before the Duke of Portland your letter of the 19th instant,* enclosing an invoice of the stores shipped on board His Majesty's armed ship Porpoise for the public use of the colony of New South Wales, by which it appears that there is only 121 tierces and 23 barrels of pork. His Grace, therefore, wishes to be informed of the reason that the whole of the pork which was on the late armed vessel the Porpoise, viz., 324 tierces and 60 barrels, is not shipped on board the present vessel. Unless the whole of the quantity of the provisions and stores which went out in the late Porpoise, and which now remain on hand, are not sent by this

Stores
shipped
on H.M.S.
Porpoise

urgently
required in
the colony.

* This letter has not been preserved.

1800 vessel, the colony will not only suffer very great distress, but the
 22 Feb. Government will be, at the same time, put to an enormous expence
 in purchasing stores and provisions on the spot. His Grace is the
 more induced to mention this circumstance, because in the case of
 the Buffalo great inconvenience to the colony and expence to the
 public arose from her not carrying out the articles which were
 ordered to be sent in her.*

I am, &c.,

J. KING.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

26 Feb. My Lord Duke, 26th February, 1800.
 A necessary officer. Before I close my dispatches, which the present concerns
 of the colony have increased to a bulk which gives me pain to have
 occasion to trouble your Grace with, I must add one letter more to
 point out not only the absolute necessity but the real advantage of
 having a respectable officer here, under the character or appoint-
 ment of chief gunner and ordnance storekeeper. Your Grace can
 have no conception of the immense waste and loss of the ordnance
 stores for want of such an officer. A carefull and diligent man
 would save four times the value of his salary, and the stores be
 kept fit at all times for actual service. Now they are, many of
 them, lost and spoil'd for want of care. It is not possible, my
 Lord, that the Commissary can attend to the preservation of these
 expensive stores.

Ordnance
stores lost
and spoil'd.

Gunner on
the
Reliance.

It was my wish and intention to have kept the gunner of His
 Majesty's ship the Reliance here in that situation when the ship
 was ordered home, but she was weak in officers, and he cou'd not
 be left. The guns upon our batterys and their carriages require
 the constant inspection of such an officer to keep them in a state
 for immediate service.

I have, &c.,

JNO. HUNTER.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

20 March. My Lord Duke, 20th March, 1800.
 Transportation of Indian convicts to New South Wales. By a ship lately arriv'd here from Bengal I am inform'd
 that the British Government in that country are desirous of
 knowing from me whether I will admit of the transportation of
 Indian convicts from thence into this settlement. This is a measure
 or question upon which I do not feel myself authoris'd finally to

* The Navy Commissioners, in reply, explained that the new Porpoise was too shallow to
 hold all the cargo of the old vessel of that name; she was, in fact, so deeply laden that it was
 impossible to take on board the remainder of the salt provisions. An order was, therefore,
 given to ship them on the transport Royal Admiral, then at Portsmouth.

decide, and therefore submit it to the consideration of your Grace. 1800
 Such a people, I have no doubt, might be usefully employ'd here, 20 March.
 and wou'd probably be far more manageable than most of those
 we now have.

It appears that a correspondence upon this subject had taken place at Calcutta between the secretary to the Government there and a gentleman who had been sent from hence as a private agent to make some purchases for officers here, and this correspondence having been commenc'd at the instance of that Government has been communicated and refer'd to me. The gentleman charg'd with this communication has written to me upon public service, in order to his being able to give information to the Government in Bengal what my determination on the subject might be. I inclose a copy of his letter and of my reply to him for the information of that Government. Correspondence referred to Hunter.

I have also received from that country a letter from three gentlemen there, a extract of which I inclose.* They are desirous of embarking their property and becoming settlers in this country. Such settlers as those, my lord, cou'd not fail of being advantageous to this colony ; but as to the conditions upon which they are desirous of coming hither are such as wou'd involve some expence, I am desirous of also submitting this to your Grace, and I enclose a copy of the conditions they have propos'd. I have written to them, and have given them every encouragement which I have conceiv'd myself authoris'd to afford them. I have, &c., Settlers from India.

JNO. HUNTER.

[Enclosure No. 1.]

MR. A. BEYER TO GOVERNOR HUNTER.

Sir, Port Jackson, the 31st of March, 1800.

I had the honor to lay before your Excellency a correspondence of the Government of Bengal relative to transporting convicts from India to this colony, and as I am directed by the Honorable the Vice-President-in-Council to transmit your Excellency's reply with the earliest opportunity, are the reason I request the favor to inform me if your Excellency approves of the land proposed by me to the Government of Bengal, and to permit the Indian convicts to be received here in New South Wales by private individuals on their account, as there are several who express a wish to embrace this opportunity, and who will hold themselves responsible for the maintenance of them. Transportation of Indian convicts to New South Wales.

I have, &c.,

AUGUSTUS BEYER.

* The three gentlemen referred to were Messrs. W. H. Marshall, G. M. Lowder, and A. C. Seymour. The letter in which they proposed to settle, and the conditions on which they were willing to do so, will be found printed at length in vol. iii, pp. 697-9; they are, therefore, not repeated here.

1800

[Enclosure No. 2.]

30 March.

GOVERNOR HUNTER TO MR. A. BEYER.—INDIAN CONVICTS.

Sir, Sydney, the 1st day of April, 1800.

Correspondence
submitted
to Hunter.

I have received your letter of the 31st ult., addressed upon service, wherein you have mentioned the correspondence you had entered into with the Honorable the Vice-President-in-Council at Calcutta, when you was last there, upon the subject of the transportation of Indian convicts into this country. I have perused that correspondence, and I cannot disapprove of the conditions which your knowledge of this settlement had encouraged you to suggest, and, I believe, would not be improper should the general plan be acquiesced in.

He refers it
to the
Secretary of
State.

As far as it becomes a public measure, I am not inclined to come to any determination upon it without a reference to the Secretary of State; but as it may relate to officers and respectable settlers who may be desirous of receiving upon their own estates here a description of people so easily fed and so readily managed, and upon the terms of their being landed here with two years provision at the expence of the Government of Bengal, I shall observe that such numbers as officers who may incline to farm extensively will undertake to provide for, I shall have no objection to the admittance of into this territory, because I am of opinion a certain number of such people may be usefully employed here. You will, therefore, inform me who the individuals are who are desirous of receiving on their own account servants from Bengal, what number, and also what security they are willing to offer that such servants do not hereafter become a burden to the public. This information I am desirous of having, in order that I may be enabled to judge how far I can consistently admit of their being accommodated.

but will
permit
servants to
be landed
condition-
ally.Conditions
under which
Indian
convicts
can be
landed.

You will understand that as I propose to refer this to the consideration of His Majesty's Minister, I mean only to sanction, by way of experiment, the receiving into this settlement such numbers of those convicts only as perfect security may be offered for the maintenance of upon their arrival here, and an assurance given that they shall not become a public burthen.

Upon my referring the question generally to Government, I shall, no doubt, receive instructions from England upon the subject, which shall be communicated as early as possible to the Government in Bengal.

I am, &c.,

JNO. HUNTER.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales.

My Lord Duke,

20th March, 1800.,

Duplicates
of
Despatches.

By the Friendship, transport, bound from hence to Bengal, I take the opportunity of forwarding duplicates of some of the most

material letters I had the honor of writing your Grace, by His Majesty's ship *Reliance*. That ship was so much worn out, that I was oblig'd to send her home whilst she was capable of returning—being an useless expence to the Crown, and no longer serviceable to this settlement. 1800
20 March.

Your Grace will be inform'd by my despatches in that ship that I am oblig'd to reduce the settlement to a short allowance of animal food, a misfortune which has too often attended this colony; and I will trust to your Grace's goodness for pardon when I take the liberty to say that I suspect those misfortunes have been but too frequently occasioned by officious and ill-founded opinions having been sometimes obtruded upon Government, and, I fear, have often been the cause of setting aside those observations which have been occasionally offer'd by the responsible officer upon the spot, whose local situation, it will be admitted, should qualify him to afford the most ample and correct information; and that it is his duty unreservedly to give it, will not be doubted. It is not every-one, my Lord, who may have visited this settlement since it has been established, and who may fancy they are acquainted with all its affairs and business, whose judgement can be relied on; it is those only who feel the change, and are oblig'd to attend to and direct the detail of its multiply'd concerns and interests who can judge accurately of the practicability of the various theoretical schemes and conjectures. Your Grace will allow the difficulty which must attend his utmost endeavours to promote the interest and prosperity of this territory, if his opinions are not allow'd at least equal weight, or equal consideration, with the officious judgement and probably interested ideas of those who cannot boast equal information and experience. Pardon me, my Lord, for these observations. Short allow-
ance of meat.
Hunter's
advice disre-
garded.
The Gover-
nor the pro-
per judge of
local require-
ments.

The master of the *Friendship* informs me that he had much room in the hold of his ship, and that he had offered to bring out two or three hundred tons of stores for this colony. It is much to be regretted, my Lord, that if provision was to be had when she was in Ireland, he had not brought us some salt meat. An offer to
bring out
stores.

The misfortunes which have lately attended the colony from various causes, but more particularly from those which no human wisdom or foresight cou'd have averted, have been such as have most thoroughly tried my endeavours in its service. I feel not, my Lord, for myself, for I thank God few are more capable of bearing their proportion of hardship or difficulty than I at present am or are at any time more willing to share in them. It is not the distress which may assail me as an individual which disposes me to write your Grace so earnestly. I feel, my Lord, for what the public service may suffer, and I must be less than man if I did not feel for those who look up to me for all they want, and whose minds may not be sufficiently inform'd to enable them to bear with temporary inconvenience and disappointment without repining. Unforeseen
misfortunes.
Hunter's
sympathy
with the
sufferers.

- 1800 I have already mention'd (letter No. 50)* that great part of o
last unfortunate harvest, from which I had once the flatteri
prospect of at least two years' wheat in the colony, has be
destroy'd by an uncommonly wet season, and the distresses a
want of ability in the settlers to hire sufficient labor ; and now,
the time we are about to gather in our maize, it is likely to
ruin'd by a similar cause, for at this moment of writing the riv
The Hawkes- Hawkesbury has again overflown its banks, and has laid the wh
bury in flood. crops under water—has swept away some of the savings of our la
wheat harvest there, with a considerable number of hogs a
poultry. Our present sufferings from these untoward circu
stances I will not, my Lord, add more upon ; I shall only say thi
as they are such as may not again happen in many years, th
ought not to create alarm.
- Indolent set- The settlers are of such a description, particularly in th
tlers. quarter, their various distresses for want of supplys (and whi
I fear your Grace is tired of hearing of) has brought about
great an indifference to the cultivation of their farms that lit
or no stress or dependence can be plac'd upon them. It is n
my wish, be assured, my Lord, to represent circumstances wor
than they really are ; but as it has appeared that my opinio
Necessity for have not been understood, or if they have, have been consider
plain speak- exaggerated, I am desirous of attending mer'ly to facts, and
ing. trust your Grace will be pleas'd to excuse me if I am more sim
and plain than may be thought necessary. Were it not for t
expences attending the embarrassments I have occasion
mention, your Grace wou'd not be troubled with any particul
statement ; but having been blamed for expences which we
wholly unavoidable on my part, it becomes necessary the cau
shou'd be plainly and circumstantially stated.
- The live stock to be preserved. I have already mention'd and sent returns of our live stock
I have represented its prosperous condition ; I have endeavour
to shew the bad policy—the evil consequences—of having too ear
recourse to that for food, and I have resolv'd as long as I can
prevent its being applied to that use untill it shall have so f
increas'd as to admit of it without danger of too great a reductio
and this, my Lord, I do, because I am convinc'd that up
mature consideration of this important concern your Grace wou
immediat'ly discover that it wou'd not only throw the colo
many years back, but create a repetition of great part of t
expende already incurr'd. Let it be consider'd, my Lord, th
The popula- we are in this country alone near about 5,200 people, fr
tion. and bond, exclusive of many natives who reside amongst
That our whole stock of large horn'd cattle, both for breed a
labor, are about 830 ; goats, male and female, about 3,090 ; ho

* The letter referred to is evidently that of 7th January, 1800, ante, p. 13, in which Bun alludes to his inability to reduce the price of grain, but does not state from what cause.

(much diminished thro' a scarcity of salt meat and other causes), 1800
2,390; sheep, male and female, about 5,700; and that notwithstanding the increase of sheep mutton is rais'd in price by those who have it to sell to one-third more than it was four years ago. This is occasioned by the scarcity of salt provisions. You will discover, my Lord, by an examination of this statement how extrem'ly improper it wou'd be to depend on this handfull of stock for the maintainance of such a number of people. My Lord, it would ruin all our hopes and prospects.

30 March.
—
Stock
returns.

With respect to laborers, it becomes necessary to assure your Grace that, notwithstanding the number of people brought from Ireland by the last two ships, we have receiv'd no great accumulation of strength. Many of those prisoners have been either bred up in genteel life, or to professions unaccustom'd to hard labor. Those are a dead weight on the public store; and really, my Lord, notwithstanding we cannot fail to have the most determin'd abhorrence of the crimes which sent many of them here, yet we can scarcely divest ourselves of the common feelings of humanity so far as to send a physician, a formerly respectable sheriff of a county, a Roman Catholic priest, or a Protestant clergyman and family to the grubbing hoe or timber carriage.

The
labouring
convicts.

Gentlemen
convicts.

Amongst the lower classes there are many old men unfit for anything but what we call hutkeepers, who stay at home to prevent robbery whilst the rest of the inhabitants of the hut are at labor. Those who do work complain of the insufficiency of their food, having nothing to give them but two-thirds allowance of salt meat and their proportion of wheat with a small quantity of sugar.

Hut-
keepers.

Their distresses for want of blankets and bedding I have also mention'd. They sleep in the cloathes they wear in the day, and it is but very lately they have had that advantage. This want has driven me to the necessity of purchasing a thousand bad rugs out of a Spanish prize.* All these things create an expence which must appear in my name, because paid for here. Cou'd we have receiv'd those things as formerly, I shou'd have felt myself fortunate, as such expences cou'd not have been plac'd to the account of my management, and this would certainly [have] been a great relief to my mind.

No bedding
for convicts.

I have, &c.,

JNO. HUNTER.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

30th March, 1800.

30 March.

After referring your Grace to my letter, No. 57†, which will be receiv'd herewith, I must express how painfull it is to feel

Additional
distress.

* The El Plumier.

† See Governor Hunter to the Duke of Portland, 20th March, 1800, ante, p. 62.

1800 myself constrain'd to add by way of supplement to that letter, the
 30 March. very unfortunate circumstances which have attended our utmost endeavours to remove even a possibility of any other distresses than those with which your Grace has already been troubled. In the above letter I have mentioned our deficiency in salt meat. I have also pointed out the danger attending our crops of maize on which for lengthening out our allowance of bread I had plac'd so much dependence.

Floods. The stormy weather which had unfortunately set in at such a time, has continued now with unremitted violence for three weeks. The river Hawkesbury, as well as the creeks on George's River, have so completely overflown their banks from the torrents of rain which fell as to have laid the whole of the adjacent low country, with the crops upon it, some time past under water, and has spread desolation over the cultivated grounds in those quarters, and, altho' fewer than might have been expected, some lives have been lost.

An exceptional season. Our present unavoidable misfortunes wou'd not (had the colony been at this time better provided with supplys) have given me much concern, because I consider it an effect of Providence which we have no reason to believe we may be so very frequently liable to as we have of late.

It will, however, have the advantage of putting us more upon our guard in future, and shew the necessity of a more rigid attention to the public regulations so often given out for the general good.

The colony too young to stand by itself.

This settlement, my Lord, is yet too young to be able to withstand such a succession of ill-fortune without its being felt in some degree an inconvenience and an expence to the mother country; and whilst we do our best to avert them, I trust no reflections can be cast upon our endeavours. Had our settlers been of a more industrious cast, we shou'd not have been so ill prepared for such accidents; but it can answer no other end at present to mention that than to shew the difficulty which must attend those who have the chief direction.

Folly of settling on low lands.

It is much to be lamented that in establishing this settlement on the Hawkesbury the people who fix'd there had not consider'd the signs of those floods which had appear'd to the first discoverers, and to have erected their dwellings, &c., on the higher grounds, or that the inundations which have lately happen'd had not taken place at an earlier period when there were but few settlers. Those overflowings which have lately happen'd none formerly had any idea of; they exceed in horror and destruction all we cou'd possibly have conceiv'd.*

* Shortly after the settlement was established on the Hawkesbury the liability of the locality to be overflown was recognised. Grose, writing to the Hon. Henry Dundas, under date 16th September, 1795 (vol. II, p. 320), told him that it was evident the settlers would never be secure from inundation. It is remarkable, therefore, that Hunter should think that no one had any idea of such "overflowings."

I will no longer trespass on your Grace's time, but beg to assure you, my Lord, that every exertion within my power shall be made to recover what we may have lost by such misfortune. I have come to the determination to break up all our artificer gangs, and let every other work, however necessary, stand still for a time, untill I can prepare all the ground we can to be sown with wheat on the public account. This misfortune makes a sad reverse to the prospect I had last October.

1800

20 March.

Making up
lost ground.

I have, &c.,

JNO. HUNTER.

A NEWSPAPER EXTRACT.*

8 April.

"We have not, for some little time past, derived much advantage from the shoals of fish of all kinds which abound on our coasts. Many of those who were employed in the fisheries have abandoned them for a more lucrative pursuit, and converted their vessels into privateers to cruize against the Spaniards in Peru. The project has been wonderfully successful, for the Spanish force in that quarter is totally inadequate to the protection of so extensive a line of navigation.

Whalers as
privateers.

"The mortality on board the Hillsborough, transport, on her voyage from England, was very great; no less than ninety-six of the convicts having died during that period.

Convicts on
the Hills-
borough.

"The inconveniences and embarrassments which fettered the growth of this infant colony are now daily disappearing. Population rapidly increases, agriculture begins to flourish, and industry is actively employed in many of those subdivisions which seldom prevail but in a long settled country. In short, the present state of the colony affords every reason to expect that it will soon be able amply to compensate the mother country for the expense and trouble of establishing and protecting it.

A bright
prospect.

"We enjoy the most complete tranquility. The conduct of a number of the convicts is truly exemplary. They feel the value of regaining some footing in society, however distant from their native land, and endeavour, by a course of honest and diligent exertion, to earn the esteem of the other settlers, and to atone for the errors of the former part of their lives."

Exemplary
conduct of
convicts.

DUKE OF PORTLAND TO LIEUTENANT GRANT.

Sir, Whitehall, 8th April, 1800.

Having received information from Port Jackson, in New South Wales, that a navigable strait has been discovered between

Grant to
pass through
Bass Strait

* This extract is reprinted from the *St. James's Chronicle*, of 8th April, 1800. It was preceded by the following editorial note:—"Letters have been received in town from Botany Bay, dated the 29th September, 1799, containing the following particulars:—"

1800 that country and Van Dieman's Land, in latitude 38°, which
 8 April. been lately passed through by a lieutenant of the *Reliance*, &
En route to afterwards returned round the South Cape, it is His Majes
Port pleasure that you should sail through the said strait in your
Jackson. to Port Jackson, by which means you will not only shorten y
 voyage, but will have an opportunity of more minutely survey
 the said strait, and of applying your instructions, as far as circ
 stances will admit of it, to this part of your route.*

I am, &c.,

PORTLAND

GOVERNOR HUNTER TO SECRETARY NEPEAN.

Sydney, New South Wales,

20 April.

Sir,

20th April, 1800

Departure of
the *Reliance*.

I have to request you will be pleas'd to inform their Lo
 ships that before the departure of His Majesty's ship *Reliar*
 under my command from this colony (the cause of which th
 Lordships will have learnt by her arrival in England, before t
 letter can possibly reach the Admiralty), I gave an order to Ca
 Waterhouse, her second commander, to bear me check'd upon l
 books untill his arrival at St. Helena, and then to discharge r
 by which time I expected the return of the *Buffalo*, when I sho
 enter myself upon her books.

Importance
of Hunter's
rank.

Their Lordships will see by the manner of wording the inco
 appointment of myself to the chief command of that ship, tha
 consider'd it essentially requisite, in order to my continuing :
 authority as the senior officer of His Majesty's ships upon t
 service.

Trusts his
action will
be approved.

I hope and trust, sir, that upon their Lordships having w
 consider'd the necessity of my continuing to hold that comma
 agreeable to the King's intention, they will be of opinion that t
 necessity will justify the measure I have pursued, not only w
 respect to myself, but in the appointment I have ventur'd to g
 to the next officer in seniority on this service to myself (Lie
 William Kent), whose merits on this duty, and whose long ser
 tude in the Navy (thirty years), I hope will incline their Lordsh
 to confirm him.

I have, &c.,

JNO. HUNTER

* Grant, in carrying out these instructions, came in sight of the south coast of Austr
 near where the South Australian and Victorian boundary is now situated. He named
 two points first sighted Capes Banks and Northumberland, and two mountains behind t
 Mt. Gambier and Mt. Schanck—names which they still bear. He coasted along to Wils
 Promontory, and up the eastern coast to Port Jackson. (See the "Narrative of a Voy
 in the *Lady Nelson*, 1803." Rowan.) This letter was written after Grant left England,
 reached him at the Cape of Good Hope.

[Enclosure No. 1.]

1800

GOVERNOR HUNTER'S APPOINTMENT TO H.M.S. BUFFALO.

20 April.

By His Excellency John Hunter, Esquire, Captain-General, and Governor-in-Chief in and over His Majesty's territory of New South Wales and its Dependencies, and First Commander of His Majesty's ship *Reliance*, &c., &c., &c.

WHEREAS the weak and infirm state of His Majesty's ship *Reliance* has obliged me to order her to return to England, being no longer capable of rendering service to this colony; and whereas the intention of His Majesty in continuing the Government of this colony in the hands of an officer of the Royal Navy was evidently designed that he should continue also to command the King's ships employed in its service: The *Reliance* ordered home.

For the good of His Majesty's service, therefore, I, John Hunter, Esqr., Principal Commander of His Majesty's ship *Reliance*, deem it necessary, before I am discharged from the books of the said ship, to appoint myself to the chief command of His Majesty's ship *Buffalo*, and to put that ship upon the establishment of the *Reliance*. Hunter takes chief command of the *Buffalo*.

I do, therefore, by virtue of the authority I possess as the senior officer of His Majesty's naval service employed in this part of the world, appoint myself, John Hunter, Esquire, Principal Commander of His Majesty's ship *Buffalo*—willing and requiring all the company and officers subordinate to me to pay due respect and obedience unto me, their said Principal Commander, and that I, myself, should obey all such orders and directions as I may receive from any senior officer for the benefit of His Majesty's service; and for which this shall be my authority for taking upon me this command.

Given under my hand, at Sydney, in Port Jackson, New South Wales, this 15th day of April, 1800.

JNO. HUNTER.

[Enclosure No. 2.]

LIEUTENANT KENT'S APPOINTMENT TO H.M.S. BUFFALO.

By His Excellency John Hunter, Esquire, Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales and its Dependencies, and First Commander of His Majesty's ship *Buffalo*, &c., &c., &c.

WHEREAS I have seen it necessary, from the very infirm state of His Majesty's ship *Reliance*, to order her to return to England, and as the public service requires that the *Buffalo* should now be put on the same establishment as the *Reliance*, I have appointed myself to the same situation on board the *Buffalo* which I held as Principal Commander in the *Reliance*. The *Reliance* to return to England.

1800
20 April.
—
Lieut. Kent
to be Second
Commander.

By virtue, therefore, of the authority which I possess as senior naval officer in this part of the world, I do hereby appoint you, Lieutenant William Kent, to act as Second Commander of His Majesty's ship *Buffalo*—willing and requiring you to take upon you the charge and command as Second Commander in her accordingly, strictly charging and directing all the officers and company of the said ship to behave themselves jointly and severally in their respective employments with all due respect and obedience to you, their said Commander ; and you are likewise to observe and execute the general printed instructions, and all such orders and directions as you shall from time to time receive from me, or from any other your superior officer, for His Majesty's service, for which this shall be your authority.

Given under my hand, on board His Majesty's ship *Buffalo*, in Port Jackson, New South Wales, this 15th day of April, 1800.

JNO. HUNTER.

GOVERNOR HUNTER TO UNDER-SECRETARY KING.

Sydney, New South Wales,
20th April, 1800.

Sir,

The case of
Michael
Robinson.

I had the honour of receiving your letter of the 14th November last, inclosing one to you from Mr. Oldham, with a printed paragraph from a newspaper.*

Had the author of that paragraph been as full in his information as he might have been, there would not have appear'd the smallest cause for any alarm or uneasiness on the part of Mr. Oldham.

Hunter's
power to
pardon.

It becomes highly necessary, sir, that the Duke of Portland shou'd be undeceiv'd in a variety of respects relative to my general conduct in the management of the concerns of this colony. I know too well the humane design of His Majesty in deligating to the person administ'ring the government of his foreign possessions the power of granting pardon in His Majesty's name for offences committed against the laws, to be capable of applying it in any improper manner ; and, sir, I will venture to say that no man in this colony can produce an instance in which it has been employ'd without the strongest proof (as far as recommendations from respectable persons can be consider'd proof) of its being well merited.

I knew nothing of the nature of this man's crime, and we continue ignorant of those of every other convict sent to this country,

* King's letter to Hunter and Oldham's letter to King are not available. The subject is referred to in an anonymous letter from Sydney, which was published in the *True Briton* of 28th October, 1799, and was doubtless the "printed paragraph from a newspaper" to which Hunter here refers. Robinson was, according to the newspaper paragraph, transported for his "memorable attack on Mr. Oldham" (vol. iii, p. 728); and the writer of the paragraph stated that Hunter had pardoned him at the instance of Judge-Advocate Dore. Although Mr. Oldham's letter to Under-Secretary King has not been preserved, there can be little doubt, from the context of the above letter from Governor Hunter, as to the nature of its contents.

because the particular crime is never inserted in the list sent with them. We, therefore, can not so well judge of the character as we ought. They are all alike convicts, and we cannot, for want of this information, know who are the most atrocious untill our own experience on the spot shall point it out.*

1800

20 April.

With respect to this Michl. Robinson, I have, sir, to observe that the Judge-Advocate, who came out in the same ship, being extremly infirm in his health on his arrival, and is at all times in a very feeble state, applied to me respecting this man, and said he wou'd be so very useful to him that he cou'd scarcely do without him, or some other equally qualified in the business of his office ; but that, as he shou'd not feel himself easy to sit upon his duty at the same table with this man under his present degrading circumstances, he hop'd I wou'd, for his accommodation, indulge him with an emancipation, which wou'd place him above the general condition of other convicts. At Mr. Dore's earnest and repeated solicitation, therefore, I gave him a conditional emancipation, a copy of which I enclose for the information of His Grace and the ease of Mr. Oldham's mind. By this kind of pardon you will discover that he is as completely exil'd from his native country as he ever was, and therefore it cannot in any degree whatever counteract the intention of the law in sending him hither, but is an incitement to good actions in this country, and has in a great variety of instances, as well by me as by my predecessors, been applied in this country for the encouragement of industrious individuals.

Robinson conditionally emancipated at Dore's request.

Not allowed to leave the colony.

I have, &c.,

JNO. HUNTER.

P.S.—During the very moment I was employ'd in writing this, a letter, of which the enclos'd is a copy, was brought to me, and to which you will discover a very short reply was made.† I leave you to make your own comments upon this artfull attempt. Mr. Dore ought to have known better, when he recollects the reluctance with which I granted the conditional emancipation, and the knowledge he must have had of the crime which convicted him.

Dore seeks to have this condition removed.

[Enclosure No. 1.]

WHEREAS His Majesty, by a Commission under the Great Seal of Great Britain, by his Royal Sign Manual bearing date the eighth day of November, in the thirty-first year of His Majesty's reign, ‡ hath been graciously pleased to give and grant full power and authority to the Governor (or in case of his death or absence, the

The form of pardon.

* This statement of Governor Hunter is corroborated in the Memoirs of James Hardy Vaux, published in 1819, and edited by Barron Field. Vaux had been transported for seven years, and the first question Governor King asked him on landing was, "Well, Mr. Vaux, what were you sent here for?" Holt on the other hand states in his "Memoirs" (vol. ii, p. 88), that the indents sent out with the convicts contained their names, places of trial, length of sentence, and cause of conviction.

† Dore's letter to Hunter is given (Enclosure No. 2), but Hunter's "very short reply" is not available.

‡ Vol. 1, part 2, p. 410.

1800 Lieutenant-Governor) for the time being, of His Majesty's territory of the eastern coast of New South Wales, and the islands thereunto adjacent, by an instrument or instruments in writing, under the seal of the Government of the said territory, or as he or they respectively shall think fit and convenient for His Majesty's service, to remit either absolutely or conditionally the whole, or any part, of the term or time for which persons convicted of felony, misdemeanours, or other offences amenable to the laws of Great Britain shall have been, or shall hereafter be, respectively conveyed and transported to New South Wales and to the islands thereunto adjacent.

Absolutely
or condition-
ally.

By virtue of such power and authority so vested as aforesaid, John Hunter, Esq., Captain-General and Governor-in-Chief in and over the said territory of New South Wales and its dependencies, taking into consideration sundry favorable circumstances in the conduct and demeanor of Michael Robinson, or Michael Massey Robinson, as represented to me by Richard Dore, Esq., Judge-Advocate, who, confiding in the abilities and integrity of the said Michael Robinson, or Michael Massey Robinson, has appointed him to be his clerk, and which said appointment I have, at the intercession of the said Richard Dore, Esq., confirmed as approved.* I do hereby conditionally remit the remainder of the time or term which is yet to come and unexpired of the original sentence of transportation passed on the said Michael Robinson, Michael Massey Robinson, provided always and upon condition that he, the said Michael Robinson, or Michael Massey Robinson, continues to reside within the limits of this Government for as long as during the term of his said original sentence, or until I shall be disposed or induced to manifest and show further favor unto him by a satisfactory and faithful report of his continuing from time to time to discharge his official duty with diligence and integrity; otherwise the said Michael Robinson, or Michael Massey Robinson, shall be subject to all the pains and penalties of re-appearing in Great Britain or Ireland during the time or term of his original sentence, and as if this permission had never been granted.

Robinson's
good
conduct.

Remission of
his sentence.

Conditional
on residence
in colony.

Given under my hand and the seal of the territory, at Sydney in New South Wales, this eighth day of June, in the year of our Lord one thousand seven hundred and ninety-eight.

JNO. HUNTER.

[Enclosure.]

JUDGE-ADVOCATE DORE TO GOVERNOR HUNTER.

Sir, Sydney, 20th of April, 1800.
Your Excellency will permit me now, by offering my thanks for the faithful services of Mr. Michael Robinson, my clerk,

* Marginal note by Governor Hunter.—“This appointment is merely nominal, but with any salary whatever.”

during a period of almost two years that he has been in my office, to recommend him to your Excellency's gracious favour, pursuant to that part of his conditional emancipation dated the 8th of June, 1798, besides the ready suffrage I make of his unremitted attention to the public duty. I can with equal confidence say his character in this colony stands unimpeachable for integrity, and I believe no person under similar circumstances has acquitted himself better during the time he has been here, which is a source of pleasing reflexion to me, inasmuch as your Excellency may be satisfied he has justified the good opinion I had of him, and which induced me first to recommend him to your clemency.

I am inclined the more to ask this favor of your Excellency, having understood that you are about to extend some marks of your benevolence to others, and from a persuasion that you derive the highest gratification from the well-timed exercise of mercy. I shall with pleasure receive your Excellency's permission to prepare the proper and usual instrument, and enclose for your completion.

I am, &c.,

RICHARD DORE.

1800

20 April.

Dore recommends Robinson for absolute pardon.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

20th April, 1800.

By the arrival of the ship Speedy, 15th instant, I had the honor of receiving your Grace's dispatches of the 5th November last by the hands of Lt.-Gov'r King. I will not take the liberty of trespassing on your Grace's time by a recapitulation of any part of such of my letters as your Grace has made observations upon.

Arrival of Lieutenant-Governor King.

As it has been His Majesty's pleasure to command my return to England, I beg to inform your Grace that I will not fail to embrace the very first safe and expeditious opportunity which may come within my power for shewing my obedience to His Majesty's command. I will do my utmost to furnish Gov'r King with every paper necessary for his guidance here before I depart, and whatever I may be deficient in I have no doubt his judgement will supply. I shall endeavour to point out to him the steps which I have long pursued with unremitted labour (altho' not always successfully) for getting the better of many of those evils which have stood so much in the way of the King's service. Had I, my Lord, been less an enemy to the wretched and disgracefull traffic carried on here, so much to the injury of this colony, and upon which so much has already been said, your Grace, I am well persuaded, wou'd not have been troubled with so many of those despicable attempts and insinuations to my prejudice which appear to have been so very industriously press'd upon your mind. But your Grace will permit me to assure you that a most thorough consciousness of the strict

Hunter's recall.

He will aid King.

The reason of his recall.

1800 justice and inflexible integrity with which I have, to the best of
 20 April. my judgement, administer'd the government of this territory, under the most arduous and difficult circumstances, cannot fail to relieve my mind in a very considerable degree from that pain and concern which your Grace's last letter wou'd have otherwise occasion'd me.

The Buffalo
 with live
 stock from
 the Cape.

I hope to report to your Grace the arrival of the Buffalo from the Cape of Good Hope, with eighty-five cows and eight breeding mares, on the public account, for which the officer commanding that ship, and whom I had charg'd with the execution of the service, drew bills on the Lords of His Majesty's Treasury to the amount of £2,174 19s. 6d., in support of which bills he left to be forwarded from the Cape by different conveyances original vouchers and duplicates. The integrity, diligence, and general conduct of this officer (Lt. Wm. Kent) upon the service of this colony has been so highly meritorious that I again presume, as a justice due to his exertions, to mention him to your Grace.

I have, &c.,

JNO. HUNTER.

THE REV. ROWLAND HASSALL TO THE LONDON MISSIONARY SOCIETY.

[Extracts.]

22 April.

Parramatta, the 22nd April, 1800.

Marsden's
 kindness
 to the
 missionary.

At my first arrival in this colony, by the request of the Rev. Mr. Marsden, I went to live at his farm, in the North Bush, where both Mr. and Mrs. M. behaved very kind to me and mine, in paying friendly visits and giving his timely advice; and not only so, but they gave us liberty to gather any vigatibles the farm produced for our own use gratis. In this farm-house I used to read a sermon every Lord's Day for the benefit of my family and all others that thought well to attend morning and afternoon.

Hunter
 grants him
 land.

After a few weeks was elapsed, His Excellency Governor Hunter gave me 100 acres of land, in the district of Dundas, and two men to work it. Nay, every act of kindness I required he was good enough to grant, being over-anxious to go forward in cultivation of the land. We went to live at an house that was more convenient, belonging to Mr. Barrington, in the North boundry, were I was robed of nearly all I had, as no dout you have been informed. In this house I invited the Rev. Mr. Cover and Mr. Henry to preach every other Lord's Day, and the people seem to pay good attention. Soon after this there was preaching in most of the districts around, as well as in Parramatta, and there seemed to be a shaking among the dry bones. Seeing such an opening, I thought it my duty to offer my services to help my dear breth. in the work, if only by reading a sermon to assist in the work. But, I fear, to very littel purpose. Soon after this, there came a great

The
 missionaries
 as preachers.

lukewarmness on the people, and very few attended, insomuch that we have gone more miles than we have had hearers to hear. On the departure of Bro. Henry from this colony to Oteheite, we were forced to abridge our labours and confine them to two districts, viz., Kissing Point and Toongabie, the former about seven miles east, and the latter four miles west, of Parramatta, which was alternately supplied by the Rev. Mr. C. and the writer. In the district of Kissing Point we found it necessary to build an house for God,* partly on account of the prejudice of the people against each other, they not being willing to attend at each other's houses, and partly for the purpose of opening a schoolroom for the instruction of the settlers' children. Accordingly, there was a subscription opened, which met with encouragement, upon which we built an house, 30 feet by 14 wide, with a side-room for the master to sleep in, about 9 feet by 7. The building cost me £40 12s. 2d., which is £26 7s. 1d. more than I have received at this date. His Excellency Governor Hunter gave us a man of our own appointment to instruct the children, which are in number 18 or 20—a young man of the name of Matt. Hughes, and we have every reason to believe that he has truly taught of God. In my general visits to the school, whether to catechise the children or superintend other affairs, I find them in good order, and they make pretty good progress in their book, so that some of them can now read in the Testament. (Note.—A few books, whether for this or other school, will be very exceptable, as well as some for grown people, with a few of Watts's Hymns, &c.)

1800

22 April.

A church at
Kissing
Point.Cost of the
building.

Kissing Point Chapple has not been open'd as yet for Divine Services, through repeated grievances and afflictions that the Rev. Mr. Johnston has laboured under from one cause or other.

The district of Toongabie is a King's Settlement, where most of the unruly prisoners are kept to hard labour. In this place we have a large Government hut for the worship of God. The congregation is unsettled, so that we have always new hearers of one kind or other, their number being in general about 100. Before the departure of Mr. C. for England in the Reliance, there was preaching each Lord's Day in both districts. But since I have not been able to attend both on the same day, through the distance there is betwixt them; but I have, and do intend, God willing, to assist to supply both alternately on every other Lord's Day, till I hear further from home. With respect to the general state of Divine things in this colony and among us, I have nothing pleasing to send. They seem at a very low ebb, indeed. Alas! I often think that we have lost all our fortitude, activity, and zeal for God and his cause. Lukewarmness and mercenary schemes are too general among us, and the prevailing state of the colony,—indeed, infidelity abounds, the love of many waxen cold,

The district
of Toongabie.Morals of the
community

1800 and every enormity stalks in face of noonday. Nay, I frequently
22 April. think the colony is near distraction, for there is not a reason but
some dreadfull judgment befalls us.

I have, &c.,

ROWLAND HASSALL.

THE DUKE OF PORTLAND TO THE GOVERNOR OF NEW SOUTH
WALES.*

Sir,

Whitehall, 22nd April, 1800.

Viticulture
by French
prisoners of
war.

As it appears that the soil and climate of New South Wales are favourable to the culture of the grape, there will go out by the Royal Admiral two Frenchmen, who were prisoners of war here, and who appear to have a perfect knowledge of the cultivation of a vineyard and the whole process of making wine, as you will observe by the within documents received from them on this subject.†

No other agreement has been made with them, except what is contained in the inclosed extract of a letter from Captain Schanck to Mr. King.

One of the men is also a cooper, a circumstance which will render him very useful to the colony.

The manu-
facture of
wine.

I trust the employment of these men will enable you in a very short period to cultivate a vineyard for the Crown of such an extent as to allow of your producing, on the spot, whatever wine may be wanted on the public account; and this circumstance will, of course, be the means of promoting, on the part of individuals, the cultivation of the vine and the making of wine throughout the settlement at large.

I am, &c.,

PORTLAND.

[Enclosure.]

CAPTAIN SCHANCK TO UNDER SECRETARY KING.

Dear Sir,

Transport Office, 8th April, 1800.

Viticulture
in N.S.
Wales.

If you approve of the suggestions I have the honor to communicate to you, I beg you will lay them before His Grace the Duke of Portland. In letters to me, and Mr. Serle, and to several other persons, from New South Wales, it is generally reported that a considerable quantity of wine has been made, and much yearly increase is expected; but the want of persons to make it is a great drawback to their expectations of the improvement of its quality. I have procured, for that reason, three Frenchmen, prisoners of war, in every respect qualified, whom I have had examined, and

Prisoners of
war as wine-
makers.

* Not knowing whether Hunter or King would be in charge at Sydney when this letter reached its destination, the authorities addressed it "To the Governor of New South Wales."

† The documents are not available.

who have given the enclosed* satisfaction to prove their knowledge of the cultivation and whole process of planting and making it. If His Grace approves of these men being sent and so employed, I have agreed on these terms—namely, that they are to remain for three years to work themselves, and instruct others in the method of planting and making wine; that they are to be paid as other foremen of the different public works or farmers are by Government; and at the end of three years to be found a passage to England, as they are out, free of all expence. Their pay to commence on their arrival, and cease at three years' end; but if they are inclined to become settlers, to have grants of land in the same proportion as the English settlers to their pay and situation.

1800

22 April.

Salaries and allowances to be granted them.

In consequence of the letter which I had the honor to shew you, mentioning that a strait in latitude 38 has been discovered and navigated through, it has occurred to me that much information might be derived, as also time saved, were Lieut. Grant, of the *Lady Nelson*, to be ordered to proceed in that latitude, and so thro' these straits, making such observations on the coasts, islands, &c., for harbours, whales, or seals, as should be thought necessary; or he might stop in his way, and call at St. Paul's or Amsterdam Islands, to see if the Americans are carrying on a seal fishery, as reported by Sir George Staunton in the *Lion*. He could then proceed to the S.W. Cape or Land of Lions in New South Wales, and discover the track of supposed coast, between it and the straits above-mentioned, and from thence to Port Jackson, to obey His Grace's further orders.

Bass Strait.

A proposal.

I have, &c.,

JOHN SCHANCK.

P.S.—It may be proper to observe that the men above-mentioned are equally acquainted with the method of making brandy.

THE DUKE OF PORTLAND TO THE GOVERNOR OF NEW SOUTH WALES.

Sir,

Whitehall, 22nd April, 1800.

I send you inclosed the copy of a letter† which I have written to you, and delivered open to the commander of the *Lady Nelson*, a vessel which has been sent to New South Wales for the purpose of making discoveries under your directions on the coast of that settlement.

The voyage of the *Lady Nelson*.

Since the departure of the vessel I have received information that a strait has been discovered between New South Wales and Van Dieman's Land, and which has been passed through by a

Bass Strait.

* The enclosure cannot now be found. It was probably forwarded to the Governor.

† The letter referred to is that of 26th February, 1800, ante, p. 57.

1800 lieutenant of the *Reliance*, who afterwards returned to Port Jackson round the South Cape. I have in consequence forwarded 22 April. a letter to Lieutenant Grant at the Cape of Good Hope (a copy of which is inclosed)* directing him to proceed through that strait in his way to New South Wales. I am, &c.,
PORTLAND.

THE DUKE OF PORTLAND TO THE ADMIRALTY.

24 April. My Lords, Whitehall, 24th April, 1800.
French prisoners of war. Francois de Riveau and Antoine Landrien, two Frenchmen, now prisoners of war confined on board the prison ships at Portsmouth, having proposed to proceed to New South Wales, for the purpose of superintending the cultivation of the vine, and the making of wine there, I am to signify to your Lordships His Majesty's pleasure that you do cause them to be liberated, in order that they may take their passage on board the Royal Admiral, now under orders to carry convicts from hence to that settlement. I have the honor to be, &c.,
PORTLAND.

LIEUTENANT-GOVERNOR KING TO THE DUKE OF PORTLAND.

29 April. My Lord, Sydney, New South Wales, 29th April, 1800.†
King arrives in the colony. I have the honor to inform your Grace of my arrival here the 16th inst., when I delivered your despatch to Gov'r Hunter, and a letter, of which the enclosure is a copy, with Gov'r Hunter's answer thereto.
Projected departure of Hunter. I deliver this to Governor Hunter for his inspection, and forwarding by the *Friendship*, extra Indiaman, which brought the Irish convicts, and proceeds from hence (to Bengal to load for Europe) the 3rd or 4th next month. Agreeable to your Grace's direction, I have to inform you that the *Friendship* is the *first* safe conveyance that has offered since my arrival; but the time appearing too short to Governor Hunter to arrange his business, he informs me that it is his intention to take his passage in the *Buffalo* colonial ship, and to sail about August. Perhaps, no other safe conveyance may occur before that period; but should His Majesty's commands for Governor Hunter's return by the first safe conveyance not be attended to (which I have no reason to suppose can or will be the case), I shall not fail to follow my instructions; and in the meantime I shall require that information which will enable me to execute His Majesty's commands.

* This is the letter of 8th April, 1800, from the Duke of Portland to Lieutenant Grant, ante, p. 67.

† This was King's first letter to the Duke of Portland after his arrival in the *Speedy*. He did not assume the administration until 28th September, 1800.

I am concerned that Capt. Townson,* who I left in the command at Norfolk Island, quitted it before my return, which he had stipulated not to do. A captain of the Corps now commands there during his tour of duty. As the interest of His Majesty's service must very materially suffer by the administration of that Government, constantly changing with the captain whose tour it is to command the detachment serving there, I therefore beg leave to state to your Grace that the proper person for that command is certainly a naval officer; but, unfortunately, there is no other in the colony equal to that charge but Lieut. Kent, who Governor Hunter has appointed second commander of the Buffalo, and who wishes to avail himself of the opportunity that offers of his returning to England in the ship he commands to attend his family concerns and to solicit a confirmation of his rank as commander, which I hope his active services in this colony, and his long service in the Navy, will procure him. Having no other naval officer to whom that command can be confided, and as Major Joseph Foveaux, of the New South Wales Corps, has offered to remain in the administration of that Government until His Majesty's pleasure is known, I have proposed that officer going there, to which Governor Hunter has agreed; and I shall take care to furnish him with the most ample instructions for his conduct, a copy of which will be forwarded to your Grace by the next conveyance.

1800

29 April.

The command of Norfolk Island

should be vested in a naval officer.

Major Foveaux acting commandant.

The short time I have been here, and having been much indisposed in health, prevents my entering into any detail respecting the state of the colony. I have the honor to be, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir, Speedy Transport, Sydney, 18th April, 1800.

Having arrived here the 16th instant in the Speedy transport with my family and deliver'd the dispatches with which I was charged by His Majesty's P.S. of State for the Home Department to your Excellency, I beg leave to acquaint you that I have it in command from His Grace the Duke of Portland to inform you that as His Grace has by these dispatches signified to you the King's pleasure to return to England by the first safe conveyance which offers itself after my arrival, and to leave the government of the territory with me on your departure from it.

King arrives to replace Hunter.

Agreeable to the commission I have the honor to hold, it is His Grace's directions that you will be pleased to furnish me with cops of His Majesty's commission to you, the Royal instructions you received in England, and such orders as have since been received relative to the King's service in this territory and its

Documents to be handed to King.

* Captain Townson assumed the command in September, 1796.

1800
29 April.

dependencies, together with such rules and regulations as are established for the maintenance of the police and regulating the duties of the different officers in the civil departments; and that the whole of the stores, provisions, and money (if any) belonging to the Crown be regularly surveyed previous to your departure, taking with you a copy thereof and leaving another for my information. In having thus communicated the information with which I am charged, I beg to assure your Excellency of the esteem, &c.,

PHILIP GIDLEY KING.

[Enclosure, No. 2.]

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.

Hunter's
reply to
King.

Sir, Sydney, 19th April, 1800.

I have had the honor of receiving your letter communicating to me a message with which you had been charged by His Grace the Duke of Portland, one of His Majesty's Principal Secretary's of State, viz., that after your arrival here I should avail myself of the first safe opportunity of returning to England and leave the government of the colony in your hands, and that I should furnish you with a copy of His Majesty's commission to me, together with a copy of the Royal instructions delivered to me before I left England, with various other papers which relate to the concerns of this settlement—to all which due attention shall be paid.

I have the honor, &c.,

JNO. HUNTER.

GOVERNOR HUNTER TO UNDER SECRETARY KING.

30 April.

Sir, Sydney, N. S. Wales, 30th April, 1800.

The inclos'd letter I have lately receiv'd, but do not consider myself authoris'd to comply with its contents. I have, therefore, inclos'd it for the inspection of His Grace the Duke of Portland.

I am, &c.,

JNO. HUNTER.

[Enclosure.]

JAMES HAROLD* TO GOVERNOR HUNTER.

May it please your Excellency, Sydney, 23rd April, 1800.

Sick and
destitute.

Notwithstanding your Excellency has been graciously pleas'd to grant me every benefit that cou'd be expected, I am sorry to assure your Excellency my present situation is, and likely to be, of the most distressful kind. I am afflicted with a variety of disorders that wou'd require something considerable to render my state of health even tolerable; yet my allowance is insufficient to support a man in the prime of life and vigour of health. I did, indeed, expect some assistance from individuals and from the people; but I am sadly disappointed. The people

* Father James Harold arrived by the Minerva on 11th January, 1800.

are so devoted to the gratification of their passions that they do not allow themselves a single moment's rational consideration. Another intolerable grievance is that, from a disorder in my head of thirty years' duration, I cannot read or study, even for the space of an hour. Hence the want of society, to which I was always accustomed, and which wou'd be amply supplied by books, cou'd I attend to them, renders my condition almost insupportable. Those with whom I shou'd think proper to associate find it their duty to keep me at a distance, while a few others begin, especially of late, [to] consider it unsafe to hold communication with me. Thus am I obliged either to spend my time in places of riot and intoxication, or commit myself to the dreary walls of a solitary hutt, how or with what accommodation I shall not mention.

1800

30 April.

Incapacitated for study.

Ostracised.

Under these melancholy circumstances I hope your Excellency's generosity and unbounded goodness will pardon the liberty I take of beging a favour, which alone can possibly relieve me—leave to pass into Rio de Janeiro under the most solemn engagements never to return to Europe without permission. Far from me to ask a favour that wou'd in the least degree tend to defeat the designs of Government in consigning me to banishment; but I humbly presume the peace and tranquility of His Majesty's dominions will be as secure by my residence in Rio de Janeiro as in New South Wales; and it cannot be suppos'd I wou'd attempt to return under a full conviction of suffering death for my rashness. I shou'd rather continue to suffer than obtain a benefit that would subject your Excellency to reproach or embarrassment, but I trust the grounds of my request would be an apology for the indulgence to a Government that does not by any means desire the punishment of its subjects, but the happiness of the Empire.

Wishes to go to Rio Janeiro.

Would not violate his agreement.

It may be said that on the return of peace some of us may be restored; but under my present circumstances 'tis impossible I cou'd live to see the accomplishment of so desirable an object. But whatever my condition may be, I earnestly pray the God of all mercy to grant your Excellency prosperity and length of days and a happy eternity.

Good wishes for Hunter.

With those sentiments I remain eternally your Excellency's,
&c.,

JAMES HAROLD.

THE DUKE OF PORTLAND TO TRANSPORT COMMISSIONERS.

Gentlemen,

Whitehall, 1st May, 1800.

1 May.

It appearing that Mr. Sharpe, the surgeon who took charge of the convicts sent from this country to New South Wales, was particularly attentive to the health of these convicts during their voyage, and that they were landed at that settlement in a very

Gratuity to surgeon.

1800 healthy condition, I desire that you will grant him the sum of
 1 May. £50 as a reward for his good conduct and attention to the convicts during their voyage to New South Wales.

I am, &c.,

PORTLAND.

LIEUTENANT-GOVERNOR KING TO SIR JOSEPH BANKS.

(Banks Papers.)

3 May.

Dear Sir,

Sydney, 3rd May, 1800.

King's
arrival at
Sydney.

Colonel
Paterson's
guest.

Spirits.

King's
letters.

A botanic
garden.

I arrived here the 15th ult'o, after a very good passage of five months and three days from England, I thank God in good health. We were so unfortunate as to lose the weaver* on our passage, which, from the man's character and behaviour on the voyage, is a very great loss. Gov'r Hunter does not intend going home before August, when he takes the Buffalo, one of our ships destined for the colony. As I shall have more time to write particulars by that ship, I just write this to say we are safe landed, but I have not yet a place I can unpack a box in, being Col. Paterson's guest. My arrival and remaining here gives general satisfaction, but I believe many will change their tone when their nefarious proceedings are arrested. Vice, dissipation, and a strange relaxation seems to pervade all descriptions. One shipload of spirits is not more than half sold. Cellars from the better sort of people to the blackest characters among the convicts are full of that fiery poison. The rising generation are abandoned to misery, prostitution, and every vice of their parents, and, in short, nothing less than a total change in the system of administration must take place when I am left to myself. I have written more particularly to Mr. King† than I can do to you at present. As it is only a private letter, I suppose he will show it you. Gov'r Hunter resigns no part of the command to me until his departure. I have fixed Cayley at P'matta, to which place he gives the preference, and as he is well lodged there I hope he will begin in earnest. I have marked out a botanic garden, to be under Col. Paterson's directions. It is ready for receiving plants, and Cayley has the use of Gov't House at Parramatta to dry his specimens, &c. There are many, very many, things I shall have to say by the Buffalo, which I think will arrive in England before this letter can possibly reach you. I shall therefore defer saying anything more on that head until I write by her.

I beg to offer my respectful wishes for your health and the ladies', to whom I beg my respects, and am, &c.,

PHILIP GIDLEY KING.

Flinders.

I am concerned Flinders is gone home, but I hope arrangements will be made so as he will be ready to come out to take the Lady

* Edward Wise, who was drowned shortly after the Speedy left the Cape.

† The Lieutenant-Governor's letter to the Under-Secretary is given on the next page.

Nelson. The first thing that appears necessary to be done is to survey a part of the S.W. coast to see what shelter it affords in case a ship should be taken short before she can clear the land to the southward of the western entrance to the straights. You will be astonished when I tell you that no investigation whatever has taken place respecting the Orders* sent to the Government here and those Paterson carried with him about the sale of spirits, &c., except that in consequence of an order Paterson gave out forbidding it he has put the oldest captain in the Corps, who is Gov'r Hunter's aid-du-camp, under an arrest, and, strange to tell, Hunter, declines granting his warrant to try him by a Court-Martial, which has been applied for by Paterson. Knowing it to be intended that Paterson shall be Lieut.-Govr., and the great want I shall be in of such an assistant when I take the command, I shall put Paterson in Orders to act as such.† Trusting to your kind exertions for a confirmation thereof, in case it should have been omitted in the last year's estimates.

1800

3 May

The sale of spirits.

LIEUTENANT-GOVERNOR KING TO UNDER-SECRETARY KING.‡

Dear Sir,

Sydney, 3rd May, 1800.

On my arrival here I lost no time in learning Gov'r Hunter's arrangements, which are to leave the colony in August, before which time it seems the Buffalo, colonial ship, cannot be got ready, as he means to take that ship home. I shall be sorry to see the colony deprived of her; but if I except the Friendship that brought the Irish convicts to this colony, and which sails to-morrow for the Mollucca and Bengal, no other opportunity may offer. The short time I have been here, and the negative state I am (as Gov'r Hunter *does not resign*) any part of the command until his departure), does not give me any conclusive ideas respecting the colony.

King and Hunter.

Hunter continues in command.

I have been here three weeks, and have not a place to put my head into, except depriving Coll. Paterson of a part of his quarters. However, I hope to get under some shelter in a day or two. My arrival here and remaining in the command seems to be generally well liked, and anxiously looked for; but I believe this transient satisfaction will soon end with many. Vice, dissipation, and a strange relaxation seems to pervade every class and order of people. One shipload of spirits is not more than half sold. Cellars, from the *better sort of people* in the colony to the blackest character among the convicts, are full of that fiery poison.

Crime and spirits.

* See postscript to the letter which follows this, and footnote thereto—post, p. 86.

† See Government and General Order of 29th September, 1800, post, p. 203, in which Paterson was appointed Lieutenant-Governor. The aid-de-camp was Captain George Johnston.

‡ A private letter.

§ The italics in this letter are King's.

1800

3 May.

A change of
administration.King pre-
pared to
encounter
opposition

The children are abandoned to misery, prostitution, and every vice of their parents, and, in short, nothing less than a total change in the system of administration must take place immediately I am left to myself. But it must be done by degrees; violent and sudden measures will not do. I will persevere, and trust you will consider when calculating on my success the setts of villains I have to contend with. Discontent will be general when the present course begins to be changed. Where can I look to for support but to myself, for it can hardly be expected that those will promote plans of industry, when the success must prove the infamy of their own conduct. Believe me, sir, my task will be laborious and highly discouraging, as I shall have to begin everything anew, and have to contend with the interested and to root up long-established iniquity.*

from those
who ought
to support
him.

My circumstances and means did not allow my bringing out a confidential person of any description, and as my conduct and regulations must be directed to getting things into a proper channel, I must count on having for decided enemies those from whom I ought to have support. Do not suppose that I am at all intimidated from my task and professions. No, sir; I will do all that an honest man ought to do. I shall have no private concerns whatever to warp my intentions or divert my views from the great object I hope to attain for the public benefit for the five years you were so good to say should be the term of my residence here; and however a sett of villains may afterwards pistolize me (as they have done my successor on Norfolk Island), yet I hope to see you again with the same conscious sense of honour and integrity as when I last saw you. For the rest, I must trust to the generosity of that publick whose steward I am.

The cost of
living.

You will be astonished when I tell you that the prices of the common necessities of life are far, very far, beyond my reach. Mutton, 2/6 a lb., and everything else in proportion. Depend upon it, sir, it will be more to the advantage of the Crown to send supplies of salt meat here than to begin purchasing and killing the private and publick stock, at least for three years. The price paid by Govt. here is 1s. 7½d. Govt. can land salt pork here for 7½d. In the three years arrangements may be made for Govt. having fresh meat at less than that price. However, I shall write more particularly about that by the Buffalo.

Impositions
on the public
stores.

I am told by those who I think are correct that there are upwards of 1,500 people here unnecessarily victualled from the public store, i.e., who do no kind of labour or work for the public benefit. *This, and much more*, I have to rectify. In short, every disagreeable thing is left for me to do. Coll. Paterson has just now put a captain of the N.S.W. Corps under arrest, and who

An officer
under arrest.

* Parts of this and the preceding paragraph are identical with parts of the letter to Banks, ante, p. 82.

is Gov. Hunter's aid-du-camp,* for selling spirits to a serjeant of his company, as a part of his subsistence, at 24s. p'r gallon, the price from the ship being only 10s. p'r gallon. As a Court-Martial is in agitation on this business, I hope an example will be made where it ought to tell. Respecting Government stock, which is now very considerable (but a return of which I have not seen), I hear there will be as much difficulty in getting them together as to collect the wild ones. I am told they ought to amount to upwards of 600 heads, which are under no one's particular charge. A villain, who has been tried for his life, and who still commits the most nefarious acts, has the charge of a great number, and makes just what returns he thinks proper. The Gov.'s aid-du-camp has charge of a greater number, which he *kindly suffers* to run on his private farm—and the same person has an unknown quantity of calves belonging to the Crown, which he *generously* allows to run on another farm a great distance off, and so have also several others. Therefore, you will easily conceive that we must in some measure trust to the *honor* of the partys to give up *all* that they so kindly take care of. This will be my first occupation to withdraw the stock from the hands of individuals, and to place them under the care of one responsible person; and I hope my health will allow me to inspect them very frequently. I might go on with pages in stating what is doing, and what *must* be done; but as my time here has been so short, and the negative state I am in, will apologize for my not doing what might be expected. I have been appealed to by the officers, civil and military, to take the command; but to that I could not listen on any account. But you will observe that I have taken upon me to mention this subject with some force in my publick letter No. 1† to His Grace, but that in a manner not strictly warrantable, but as I was compelled to do it, to bring Gov'r Hunter to a determination about going, I hope it will be excused.

I hope the Buffalo will be returned to this colony again, and that arrangements will be made with the Admiralty for my having the command of the King's ships here, the same as Gov'r's Phillip and Hunter, which will be absolutely necessary on every account. Respecting this, I will write more fully by that ship, as I do not doubt but you will receive my letter by the Buffalo long before you can receive this. With my most sincere wishes for your health, and that of your family, I am very respectfully, dear sir,

Yours, &c.,

PHILIP GIDLEY KING.

The ship by which I send this not being yet gone, I resume my pen to say that the longer I stay, and the more I hear, tends to bewilder and perplex my future plans. You will be surprised

* Captain George Johnston, post, p. 86.
April, 1800, ante, p. 78.

† Governor King to the Duke of Portland, 29th

1800

3 May.

Government
live stock.

Cattle in
hands of
individuals.

The officers
appeal to
King to
assume com-
mand.

The naval
command.

King's
difficulties.

1800 when I inform you that no investigation whatever has taken place
 3 May. by Gov'r Hunter respecting the letter sent by Col. Paterson.*
 The latter informed you, before he put a captain of the Corps, who
 is H.'s aid-du-camp, under an arrest. Hunter positively declines
 granting his warrant to try the offender by a Court-Martial.
 Government stock is bad—very bad, and much scattered. I must
 perforce occupy myself about that material concern immediately,
 as a general scramble for it is taking place.

LIEUTENANT-GOVERNOR KING TO LORD MORNINGTON.†
 (King Papers.)

Sydney, New South Wales,

8 May. My Lord, 8th May, 1800.
 Spirits I beg leave to inform your Lordship of my arrival here to
 from India. take upon me the government of this territory on Governor
 Hunter's departure, which will take place about August. As I
 was informed by His Grace the Duke of Portland that instructions
 had been sent by Mr. Sect'y Dundas to your Lordship to use your
 influence in preventing the exportation of spirits from the different
 Presidencies in India to these colonies, I take the liberty of re-
 questing your Lordship's assistance to effectuate an object in which
 the interests of humanity and of His Majesty's service are so
 materially concerned. The quantities of this poison which is
 thrown into this colony would be truly distressing to your Lord-
 ship's feelings could you be informed of the evils attendant
 thereon.

I have, &c.,

PHILIP GIDLEY KING.

UNDER-SECRETARY KING TO TRANSPORT COMMISSIONERS.

12 May. Gentlemen, Whitehall, 12th May, 1800.
 The French I am directed by the Duke of Portland to transmit to you
 vignerons. the inclosed copy of a letter,‡ which Captain Patton has received
 from Messrs. Frs. du Riveau and Ante. Landrien, who are now
 about to depart for New South Wales for the purpose of being
 employed on the part of the Crown in the cultivation of the vine
 in that colony; and I am to desire that you will direct Captain
 Patton to furnish them with such clothing and other articles as
 may be necessary for them during their voyage.

I am, &c.,

J. KING.

* Apparently King here alludes to the Order contained in the concluding paragraph of the Duke of Portland's letter to Hunter of 26th February, 1799 (vol. iii, p. 635). This is the more likely as Colonel Paterson sailed from England shortly after the letter was written; and was under orders to join his regiment in view of the charges which had been made against the officers of the Corps, into the truth of which Hunter was ordered to inquire.

† Governor-General of India and brother of the famous Duke of Wellington.

‡ This letter cannot be found. Captain Charles Patton was the transport agent at Portsmouth.

MAURICE MARGAROT TO LIEUTENANT-GOVERNOR KING.

1800

Sir,

Sydney, 13th May, 1800.

13 May.

Hazardous as is this step, my duty to society urges to take it, and to confide in your discretion ; otherways delicacy towards Governor Hunter, whose most sincere well-wisher I am, would prevent my paying my respects to his successor untill his departure, when, by the introduction of Mr. Commissary Palmer, I could do so more conformably to rules and forms.

Margarot
approaches
King,

As I am much confined by sickness, unless you are possessed of any private orders of Ministry relating to me, and require my attendance to impart them, there is little chance of my having the good fortune to meet with an opportunity of conversing with you. Yet, if you feel yourself inclined to give birth to any *accident* which may occasion you to enter my habitation, you shall find that an hour will not be spent there unprofitably, and that I can throw light on several of the transactions of this colony which may not perhaps have reached you in the shape they will then assume. I, moreover, will submit to your perusal several papers, the contents of which it is important you should be early acquainted with.

and asks for
an
interview.

I am, &c.,

M. MARGAROT.

LIEUTENANT-GOVERNOR KING TO LIEUTENANT KENT.

(King Papers.)

Sir,

Sydney, 23rd May, 1800.

23 May.

I should have written you before on the subject of your house, but have been prevented by indisposition. The valuation by Messrs. Bloodsworth & Anson, I observe, is £1,539, a sum which I do not consider myself justifiable in expending for any consideration not previously sanctioned by His Majesty's Principal Secretary of State. The distressing prospect of the rising generation in this colony becoming the inheritors of their abandoned parents' profligate infamy for want of an asylum to withdraw the orphans and other objects from the vile examples they hourly witness, has induced me to propose your house and its offices as a fit place to receive those children into, for their residence and education, which, under the plan that will be formed for their management I hope will produce a great benefit to society at large and this colony in particular.

Kent's
house.

Profligate
parents.

A refuge for
abandoned
children.

As you are returning to England in the ship you command, and mean to dispose of your house previous to your departure, if it should meet your convenience, I will make a conditional purchase of the house, &c., according to the enclosed draft of a bill, subject to the approbation or rejection of His Majesty's Principal Secretary of State for the Home Department.

A condi-
tional
purchase.

I have, &c.,

PHILIP GIDLEY KING.

1800

[Enclosure.]

23 May.

*An Estimate of Captain Kent's House, &c.*Building
expenses.

	£	s.	d.
Bricklayers', plaisterers', and masons' work, with all materials	568	2	3
Carpenters' work, timber, shingles, nails, glass, &c.	818	0	0
Glaziers' work, glass, putty, &c.	63	15	0
Locks, bolts, hinges, sahes, and sash-lines, pulleys, weights, screws, &c.	90	0	0
	£1,539	17	3

J. BLOODSWORTH,
Superintendent of Bricklayers and Plaisterers.
J. ANSON, Carpenter.

LIEUTENANT KENT TO LIEUTENANT-GOVERNOR KING.

(King Papers.)

25 May.

Sir,

Sydney, 25th May, 1800.

The
proposed
orphanage.A benevolent
project.

I had the honor of receiving your Excellency's letter of the 23rd inst. respecting the purchase of my house in this town on the part of Government for the reception and education of the orphans of this country, together with the sum Messrs. Bloodsworth & Anson valued the house at, and the conditional terms upon which you would wish to make the purchase, the whole of which are agreeable to me. I observe in the valuation of the house no notice is taken of the expence I have been at on the premises, and particularly the garden; but this is a matter I mean to waive, well knowing your only object in this purchase proceeds from the purest motives of benevolence towards the rising generation of this colony. I hope you will believe I feel a particular pleasure in having the power of complying with any wish of yours.

I have, &c.,

WILLIAM KENT.

DUKE OF PORTLAND TO TRANSPORT COMMISSIONERS.

4 June.

Gentlemen,

Whitehall, 4th June, 1800.

Mortality of
convicts on
the Hills-
borough
transport.A report
required.

Within I transmit you a copy of a letter* which I have just received from Governor Hunter, of New South Wales, by which I observe with great regret and dissatisfaction that of the three hundred male convicts who were transported in the Hillsborough, ninety-five died on their passage. As it is material to ascertain whether this mortality can be attributed to any other and what cause than the gaol fever, which is stated by Governor Hunter as having broke out on the passage, I am to desire that you will make as full and immediate inquiry as possible into the state and condition of the Hillsborough, when she received the said convicts

* This was the letter printed on p. 700, vol. iii, from Governor Hunter to the Duke of Portland, and dated 27th July, 1790. It was probably forwarded by one of the vessels which returned *via* China.

on board, into the then state of health of the said convicts, into the quantity of space and degree of accommodation afforded to the said convicts in the Hillsborough, and also if there was provided and put on board for the use of each convict during the voyage the several articles of cloathing undermentioned; and lastly, into their treatment during the voyage—and report to me accordingly.

I am, &c.,

PORTLAND.

Clothing ordered for each convict.

1 blue jacket and waistcoat.
1 p'r of Russia duck trousers.
2 checked shirts.

2 p'r of stockings.
1 p'r of shoes.
1 woollen cap.

CAPTAIN PATTON TO THE TRANSPORT OFFICE.

Transport Office, Portsmo',

Sir,

6th June, 1800.

6 June.

I have received your letter of yesterday's date, with a copy of a letter from His Grace the Duke of Portland, and of its inclosure from Governor Hunter.

I beg leave to acquaint you that the Hillsborough convict ship arrived upon the Mother Bank from the Downs on the 17th Nov'r, 1798. It appeared, by the master's report to me, that some of the convicts were sick, and that one convict and one child died on the passage from the river. Sir J. Fitzpatrick* was requested to go on board the Hillsboro', and select such of the convicts as, in his opinion, ought to be sent to the hospital ship, and to give such directions as he might think necessary for the preservation of the health of those who remained on board, and that were to be embarked at this port. These circumstances were communicated to the board in my letter of the 18th Nov'r, 1798, an extract from which you will find in the papers transmitted herewith. On the 19th I sent the soup on board, and gave the directions to the master of the Hillsboro', as stated in the copy of my letter to him of the same date. On the 20th the sick were landed, and the ship preparing under the inspection of Sir J. Fitzpatrick (see extract of my letter of that date). The open bulk-head, requested by Sir J. Fitzpatrick, was immediately ordered to be put up. (See copy of his letter to me, dated the 22nd of Nov'r.) The logwood and other articles demanded by Sr. J. Fitzpatrick in his letter of the 24th Nov'r were immediately ordered, and all his suggestions and demands, with the approbation of the board, were complied with. Bedding and cloathing, agreeably to the directions given, were supplied to each convict embarked from this port in place of the sick, who were sent to the hospital ship. (See extract of Sir J. Fitzpatrick's letter to me, dated the 3rd Dec'r.) The cloathing for the other convicts was put

1800

6 June.

Health of the convicts on the Hillsborough on embarking.

Precautions taken by the transport agent.

Convicts well equipped.

* Sir J. Fitzpatrick was the Inspector-General of Health.

1800 on board the Hillsboro' in the river. Sir J. Fitzpatrick continued to remove the sick and replace them from the hulks to the day of the Hillsborough's sailing, which was not approved, as appears by Mr. Baldwin's letter to me of the 22nd Dec'r. My reasons for complying with Sir J.'s request are stated in my answer to Mr. Baldwin, dated the 23rd Dec'r.

6 June. Removal of the sick. Sickness not caused by over-crowding. I beg leave to observe that the Hillsborough was a very large ship, and that no complaint was ever made to me of want of room or sufficient space for the convicts. She was fitted in the river, and Capt'n. Rains, no doubt, can furnish her particular dimensions. That the sickness did not originate from her being crowded seems evident, because it had taken place in a considerable degree on her passage from the river to Portsmouth, when only half the number of convicts was embarked. With respect to their treatment during the voyage I have not been informed, but am extremely sorry to hear of the mortality that took place among them. Perhaps the convicts might be allowed more air with a guard of soldiers than with a guard of seamen, who have other matters to attend to, and would find themselves at ease when the convicts were all below; but of this it is not my province to judge. I shall only add, that I do not know of anything that could be done by this department that was not done for their health and accommodation.*

Soldiers preferable to sailors as guards. I have, &c.,
CHAS. PATTON.

CAPTAIN RAINS TO THE TRANSPORT OFFICE.

9 June. Gentlemen, Deptford, 9th June, 1800.

Captain Rains' report on the Hillsborough. In obedience to your directions to report on the state and condition of the Hillsborough when she received the convicts on board, the state of health of the said convicts, the quantity of space afforded for their accommodation, and if the usual cloathing was provided for them, I beg to acquaint you that the Hillsborough was fitted on an improved plan from any of the convict ships that preceded her, having the barrs of the prisons built so far apart as to admit of infinitely more air than could have circulated in the Barwell, which was a ship as nearly as could be of equal tonnage, embarked the same number of convicts, and I am informed lost only four or five on the passage, although she had less aerial space than the Hillsborough.

Inspection and clothing of convicts. The 152 convicts embarked at Gravesend on board the Hillsborough were inspected, as to their health, by Sir J. Fitzpatrick. The usual cloathing for the voyage was supplied them; but I am of opinion there should be a double suit, as the cloaths given to

* There are a number of enclosures to this letter which cannot now be traced; and as those which are available are merely corroborative of Captain Patton's statements they have been omitted.

them when they embark must be nearly worn out by the time they arrive at the colony. As to the miserable mattress, and one blanket, which Governor Hunter speaks of, it is of the same quality as those supplied to His Majesty's seamen and soldiers. 1800
9 June.

Since writing the preceding I have seen Sir J. Fitzpatrick, who informs me that he objected to any of the convicts at Langstone Harbour being embarked in the Hillsborough, as the jail fever had raged there with much violence, and he was fearful the infection remained latent in their blood; but, contrary to his wishes, they were sent on board. Five of them he insisted on being returned to the hulks, all of whom died in a few days after, and he says it is his firm opinion that a fever was carried out in the ship by the convicts sent from Langstone. The gaol fever.

I am, &c.,

STEPHEN RAINS.

TRANSPORT COMMISSIONERS TO THE DUKE OF PORTLAND.

My Lord,

Transport Office, 11th June, 1800. 11 June.

We have received the honor of your Grace's letter of the 4th inst.,* with its inclosure from Governor Hunter, signifying to us the very unhappy mortality which had occurred in the Hillsborough transport bound with convicts to New South Wales, and directing us to make as full and immediate inquiry as possible into the state and condition of the said ship when she received the convicts on board, in order to ascertain whether the mortality can be attributed to any other and what cause than the gaol fever, as stated by Governor Hunter to have broken out on the passage; and also into the then state of health of the said convicts, into the quantity of space and degree of accommodation afforded to them in the Hillsborough; and further if there were provided and put on board for the use of each convict during the voyage the several articles of cloathing stated in the margin,† and lastly into their treatment during the voyage, all of which we are to report to your Grace accordingly. Mortality on the Hillsborough.
Inquiry into cause of sickness.

In order to set the whole matter as clearly as possible before your Grace's observation, it will be necessary to state the terms on which this ship was chartered for the voyage, and then to lay before you copies of the correspondence which have passed upon the subject, under the cognizance of this Board, between the parties concerned. The Board's explanation.

We received a direction from the Lords Commissioners of His Majesty's Treasury, by Mr. Long's letter of the 30th July, 1798, to take up a ship for the conveyance of 300 convicts to New Terms on which the Hillsborough was hired.

* Ante, p. 88.

† For each convict:—1 blue jacket and waistcoat, 1 pair Russia duck trousers, 2 checked shirts, 2 pairs of stockings, 1 pair of shoes, 1 woollen cap.

- 1830 South Wales, in consequence of which we concluded with Mr. James Duncan to accept the Hillsborough of 764, offered by him, upon the following terms :—
- 11 June.
- Charge per capita. 1. To pay £18 per head for each convict, man or woman, and half that sum for a child ; and £4 10s. 6d. more for each convict who should be landed at New South Wales. This article was thought a good precaution to insure the good usage of the convicts, and more in favor of Government than to pay about £23 per head, dead or alive, according to former agreements.
- Freight charges. 2. Eight pounds per ton for stores and provisions which might be put on board over and above the quantity necessary for the convicts on the passage and for their subsistence nine months afterwards.
- Coals for the Cape. 3. Eight pounds per chaldron for a quantity of coals ordered by the Treasury to the Cape of Good Hope. These were much wanted at that station, and by their being carried in the hold, occupied no space from the convicts, and saved the chartering another vessel for that purpose.
- Other terms. 4. One half of the freight to be paid on the ship's sailing from Portsmouth, and the remainder on the usual proofs of the due delivery of the convicts, stores, and coals.
5. Then follow the common articles of agreement, respecting demurrage, to prevent unnecessary expences or delays to Government, and unfair loss of time to the owners.
6. Water casks to be found by the owners.
7. An approved surgeon to be appointed at the expence of the owners, the Board finding medicines.
- The owners to provide the guard. 8. And on account of the unfortunate fate of the *Lady Shore* and the little trust which was found in the military guard on board that ship, as well as the difficulty of procuring a proper one at the time, it was agreed, under the sanction of a communication with your Grace's office on that head, that the owners should provide a guard of thirty men, over and above the forty-eight which formed the ship's complement, at the rate of £5 per man per kalendar month for each of the said thirty men, to be computed from the day of the embarkation of the convicts to the day of their final debarkation at New South Wales.
- A favourable comparison. Upon a review of this bargain, compared with former charters for the same purpose, we flattered ourselves that we had concluded an agreement, operating at once for the benefit of our trust, and for the comfort and security of the convicts to be embarked.
- The ship well fitted and alred. With respect to the state and condition of the ship, when the convicts were put on board, it appears, from the report of our officers, that she was perfectly fitted and prepared to more advantage than usual for the purposes of air and health, and that she was in the best possible order at the time of embarkation. As a further testimony to this fact, we beg to refer your Grace to Capt'n Rains's letter to the Board,* upon the subject. It appears, also,

* Ante, p 90.

that the quantity of space and air in circulation allowed to the convicts, was considerably more than had been allotted in the *Barwell*, a ship of nearly the same tonnage, which had happily carried out an equal number of convicts, with the loss of four or five only during the passage.

1800

11 June.

As to the state of health when the convicts were received on board, though that circumstance cannot be supposed to fall under the immediate cognizance of this department, yet we are enabled to furnish, from the correspondence of our agent, Capt'n Patton, at Portsmouth, such information as to give us the greatest reason to believe that the infection, whether the gaol-fever or other epidemical disorder, was carried on board by the persons of the convicts or their cloathes from the places of their previous confinement. We must refer your Grace to the series of papers marked Nos. 2 to 22* on this subject, and only beg leave to add that, from the common experience of all who are acquainted with sea-affairs, when once a virulent epidemical disease is brought on board a ship, it is a matter of extreme difficulty, and almost impossible while the crew is on board, under every species of fumigation or medicine, to extirpate the noxious effluvia, and to render the vessel assuredly healthy, and especially in a passage through climates such as the Hillsborough passed, disposed to heighten and to aggravate every inflammatory or pestilential disorder. In justice to all concerned, we are inclined to believe that the whole of this mortality might have arisen from circumstances which no human foresight could prevent, the causes being often subtle and latent, and the infection probably conveyed by means imperceptible or unknown.

State of health of convicts on embarkation.

Difficulty of extirpating disease.

Respecting the articles of cloathing specified by your Grace and ordered by the Treasury, they were exactly purchased in number and quality as appointed, and only sent on board before the ship left the river. Some additional cloathing was afterwards purchased by our agent at Portsmouth, in consequence of changes made of the convicts, under the direction of Sir J. Fitzpatrick; but we beg to offer it as our opinion that, as the means of supply at New South Wales are very low, it might be better in future to make a larger provision of cloaths than is usually allowed for the convicts, as the poor apparel which they take on board with them is generally upon their backs, and the supply for their relief, after so long a passage, must naturally be worn out and expended. Our agent, Capt'n Rains, has very properly stated this point in his letter,† to which we beg leave to refer your Grace for that and other particulars.

Convicts' cloathing.

Over and above the common diet, we caused to be provided an allowance of portable soup, tea, sugar, barley, spices, mustard, vinegar, and other articles of comfort, for the use of such as might be sick upon the voyage.

Convicts' rations.

* These papers are not available. † Ante, p. 90.

1800
11 June. All that Sir J. Fitzpatrick thought necessary for the cleanliness and fumigation of the ship was constantly put on board, or his suggestion, by Capt'n Patton.

Nothing, upon our knowledge, was omitted to render the situation of the unhappy people embarked as convenient and healthful as the nature of the business would allow.

An investigation to be held on the ship's return.

With respect to our report upon their treatment during the voyage, which your Grace directs us to make, we beg to say that so soon as the ship may return to England we will investigate the master's conduct as strictly as possible, though no complaint have yet reached us from Governor Hunter or any other person and will not fail to lay before your Grace the result of our inquiries.

We have the honor to be, &c.,

RUPT. GEORGE.
AMBROSE SERLE.
WM. AY. OTWAY.
JOS. HUNT.

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.*
(King Papers.)

19 June. Sir, Sydney, 19th June, 1800.
Government purchases live stock. Agreeable to your desire that Government might have your stock of horned cattle (at the price agreed on by Government with Mr. Hogan, i.e., £37 a head† for cattle imported here) in preference to disposing of them to individuals, I can have no objection to direct them to be received on the conditional agreement that the bills in payment for it, on His Majesty's Treasury shall be purely conditional, by being subject to the approbation or rejection of His Majesty's Principal Secretary of State for the Home Department; and in case they are rejected by the Government, half their increase will be the property of the Crown, and the other half, with the surviving old cattle, will be given up to any person you may appoint to receive them; and should it be necessary to kill any of the males to issue, you will be allowed the price at which fresh meat is received into the store. Should these conditions be approved of by you, I have directed Messrs Jamieson and Nairne to examine their condition and report their numbers to me next Monday morning; and as Government stock of that kind is marked on the right shoulder with a broad arrow that belonging to you, as well as to Captain Kent's and Major Foveaux's, received on the same conditions, will be marked on the left shoulder with a broad arrow, and the initial of your surname on the right, which will be observed with the increase.

Conditions of sale.

Cattle brands.

Yours, &c.,

PHILIP GIDLEY KING.

* Similar letters were sent to Captain Kent and Major Foveaux.

† The price at which Captain Hogan offered to sell his cattle was £35 a head. The arrangement, however, was not carried out. See vol. iii, pp. 299 and 300, and note.

LIVE STOCK.

95

[Enclosure.]

1800

An account of Cattle received into Government Herds from the undermentioned persons.

19 June.

To whom belonging.	Bulls.	Cows.	Young Oxen.	Bull Calves.	Cow Calves.	Remarks.
Governor Hunter ..	2	4	..	1	4	Every species of cattle appear to be in good condition. The cows are in very good order, and most of them in calf.
Major Foveaux ..	1	12	5	4	9	
Captain Kent ..	..	5	1	3	2	
General total ..	3	21	6	8	15	

Witnesses—

SAMUEL MARSDEN,
RICHARD ATKINS,

JOHN JAMIESON, Storekeeper.
JAMES NAIRNE, Superintendant of Stock.

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.
(King Papers.)

Sir,

Sydney, 21st June, 1800.

21 June.

Being about to close my instructions to Major Foveaux, which I intend laying before you to-morrow, I am to request being informed of any public information you may have received from the officer now in command on Norfolk Island that it may be necessary for me to notice to Major Foveaux in instructions to him, and should be glad to be possessed of the last returns made from thence, as I presume Capt. Townson delivered to his successor my regulations on that head.

I am, &c.,

PHILIP GIDLEY KING.

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.
(King Papers.)

Sir,

Sydney, 23rd June, 1800.

23 June.

I have this morning received your letter desiring I will communicate any recent information I may have received from Norfolk Island, in order that you may be enabled the more fully to instruct the officer designated to command there.

By letter from Capt. Rowley, the present commanding officer on that island, of the 6th Febr'y last, it appears that there is some salt meat in store likely to spoil, and that, in order to prevent it, a part had been sold by public auction, and the money arising was to be applied to the payment of some extra work.

By letter of the 14th May, Capt. Rowley says he cannot proceed with the rebuilding the wharf at Cascade Bay for want of bar iron fit for such purpose and some lead; the sawyers were, however, at work preparing timber.

1800

28 June.

Distilleries
at Norfolk
Island.

They are in want of spades and other implements of husbandry. He also says that, in consequence of ill-health amongst many the inhabitants—proceeding, in the surgeon's opinion, from a distilling of spirits, which the people drank hot from the still—had ordered the stills to be seized, and that he had been indirectly threatened with a prosecution by two of those concerned—Haml and Ransom.

By letter from the surgeon, 15th May, I am informed of ill a declining health of Capt'n Rowley.

A paper
mislaid.

The Norfolk Island returns which I send you I had put together intending to leave them. I have had no other papers but that a return of the receipt and issue of fresh pork since Capt'n Rowley's time, which I have somehow mislaid amongst the multitude of papers with which I am surrounded: but it is not material. It is scarcely possible to conceive the difficulty, situated as I am, to arrange in correct order, all the official papers with which I have to concern, and wholly thro' the want of my secretary, and from being obliged, thro' that cause, to manage with my own hand the whole of my multiplied business. What I herewith send you will probably enable you to complete what you want.

I have, &c.,

JNO. HUNTER.

P.S.—It is not long ago since I sent for from Norfolk Island 61 casks of salt meat, to prevent its being spoiled.

LIEUTENANT-GOVERNOR KING TO MAJOR FOVEAUX.

26 June.

Sir,

Sydney, 26th June, 1800.

Foveaux's
appointment
and
instructions.

With this you will receive my appointment to you to be Lieutenant-Governor at Norfolk Island until His Majesty's pleasure is known, with instructions* and its enclosures for your guidance in administering the Government of that island, together with His Majesty's letters patent for constituting a Court of Civil Judicature therein.

Implicit
obedience to
be insisted
on.

Agreeable to the directions and injunctions I have received, cannot too much press on your most serious attention the absolute necessity of every part of your instructions being observed and carried into their fullest effect, and that you will not hesitate to bring forward any description or rank of persons under your command who may, through self-interest or any other motive, be induced to disobey or treat His Majesty's commands with neglect.

Returns to
be sent to
King.

As soon after landing as possible you are to cause a strict and careful survey to be made of all stores, provisions, clothing, stock &c., in the Deputy Commissary's charge on the day of your arrival.

* The appointment and Instructions of Major Foveaux will be found on the next and subsequent pages.

and to transmit me a copy thereof by the first conveyance, together with a copy of the muster you take of the inhabitants, in which you will specify the emancipated, pardoned, and convicts whose terms are expired, also the employment of those still under the sentence of the law, and all others supported at the public expence. 1800
26 June.

I have also to request that you will direct the enclosed public notice to be notified to the inhabitants at large, that no one hereafter may plead ignorance thereof; and you will be pleased to inform the officer who now has charge of that island that it is necessary he should call in all bills issued by himself or the Deputy Commissary by his orders, for the public service, during his command, and to cancel the same, informing him at the same time, as well as the Deputy Commissary, of that part of your instructions contained in the latter part of the 6th article, and its relative enclosures, respecting the forwarding their respective accounts current, and vouchers, &c., in support thereof, to the Inspector-General of Public Accounts, in the manner and mode therein directed; and you are to require from the above officer and Deputy Commissary a list of all such persons as may be indebted to the Crown and require payment thereof forthwith, or as soon as their circumstances will admit. Captain Rowley's accounts.

You will take such measures for insuring an obedience to the 7th article of your instructions as the local situation of the island may enable you to carry into execution with effect, by forming such regulations as you may judge proper respecting commanders of ships being restrained from landing any spirits without your own permission, obtained in writing. Importation of spirits.

Ensign Bayly having requested that the two convicts allowed him for his domestic purposes may be victualled at this place, for the purpose of working at his farm here during his tour of duty at Norfolk Island, you are to take notice thereof that he may not receive that indulgence on the island. Assigned servants of Ensign Bayly.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

APPOINTMENT of Major Foveaux by Captain Philip Gidley King, Lieutenant-Governor of Norfolk Island, in the Pacific Ocean, appointed by His Majesty to succeed His Excellency Governor Hunter, on his approaching departure, in the Government of His Majesty's Territory of New South Wales and its Dependencies.

WHEREAS it's necessary the Royal instructions to me, signified by His Majesty's Principle Secretary of State for the Home Department, should be carried into execution as soon as possible, and as it is absolutely necessary for the interest of His Majesty's service that the Government of Norfolk Island should be confided to an officer who can be permanently stationed there, you are therefore A permanent Commandant requisite at Norfolk Island.

1800 hereby required and directed to proceed to Norfolk I
 26 June. there take the said island into your care and charge
 Lieutenant Governor thereof untill His Majesty's ple
 be signified. You are therefore carefully and diligently t
 the duty of Acting Lieutenant-Governor thereof by
 performing all and all manner of things thereunto belo
 I do hereby strictly charge and require all His Majes
 and soldiers who shall hereafter be on the said islan
 others whom it may concern, to obey you as Acting I
 Governor thereof; and you are to observe and follow
 and instructions from time to time as you may receiv
 or from the person administering the Government of His
 territory of New South Wales and the islands adjac
 time being, or any other your superior officer, accord
 rules and discipline of war, as well as all such orders
 receive under His Majesty's signet and sign manual,
 Lords Commissioners of His Majesty's Treasury for the
 or one of His Majesty's Principle Secretaries of State, in
 of the trust hereby reposed in you.

Foveaux
 appointed
 Acting
 Lieutenant-
 Governor.

Given under my hand, at Sydney, New South W
 26th day of June, 1800, and in the fortieth y
 Majesty's Reign.

PHILIP GIDLE

[Enclosure No. 2.]

INSTRUCTIONS TO MAJOR FOVEAUX, ACTING LIEUT
 GOVERNOR AT NORFOLK ISLAND.

INSTRUCTIONS for Major Joseph Foveaux, of the N
 Wales Corps, appointed to act as Lieutenant-Gove
 Majesty's settlements in Norfolk Island, in the Pac
 a dependancy on His Majesty's territory of N
 Wales.

General
 instructions.

1st. On your arrival you are to cause your appointme
 as the patent for constituting a Court of Civil Judica
 publicly read with all due solemnity, and after having
 yourself of the different descriptions of people under
 mand, you are to pursue the necessary measures for the
 security of the island, and for the safety and preservat
 stock and public stores, and to fix such regulations as n
 to be best calculated for cultivating the public grounds
 other objects as are hereafter directed, by distributing t
 who now are, or may hereafter be, under the sentence
 in such manner as to feed, maintain, and cloath the in
 at the least possible expence to the public.

Tools to be
 distributed.

2nd. The tools and utensils that have or may hereaf
 vided for the use of the convicts and others who may c

said settlements, are to be distributed with every proper degree of oeconomy, and you will be careful that the Deputy Commissary transmits to me a regular account of the issues thereof, as well as of all stock, stores, provisions, and cloathing, with the remains (as pointed out by the 11th article of these instructions), which will enable me to judge of the propriety and expediency of sending you farther supplies; and returns are to be made by the Deputy Commissary, approved by you, to His Majesty's Principal Secretary of State for the Home Department and the Secretaries of His Majesty's Treasury, of the indispensable wants of the island, when a vessel is leaving it for England without touching at this port. And you are by all such opportunities to inform His Majesty's Principal Secretary of State for the Home Department of your actual situation, and that of the settlements under your command, transmitting to me by the first conveyance copies of the same.

1800

26 June.

Returns to
be sent to
England.

3rd. The increase of the stock depending upon the measures you may adopt for their preservation, you are not to permit any female cattle, sheep, hogs, or asses to be slaughtered or taken from the island unless in case of an officer wanting to take such part of his stock as can be conveniently received on board the ship that brings the relieved detachment to this place, in which case you are to grant that permission as you may judge necessary. You are also to direct the Deputy Commissary's attention to the increase and expenditure of such cattle and live stock as may be in his charge belonging to the Crown, the males of which alone are to be killed, and accounted for as provisions received into the public stores. Nor is any of the public stock to be disposed of, unless to furnish a settler on being settled, or in return for any articles furnished to Government, when regard must be had to the value of such stock in the colony, and its price when imported hither. And you are to oblige any person receiving that indulgence to sign an agreement not to sell or barter away what is given him to breed from, otherwise the animals and half their increase is to revert to the Crown.

Preservation
of live stock.

Government
live stock.

4th. The productions of all descriptions acquired by the labor of those supported by the Crown is to be considered and accounted for as a public stock, to be appropriated solely for the maintenance and use of those who are unavoidably maintained at the public expence; the overplus to be reported respectively as pointed out by the second article of these instructions.

The labour
of convicts.

You are also to cause the utmost attention to be paid to manufacturing the flax plant into such cloth as can be worn by the convicts, employing all such convict women as are maintained by the public in preparing it, and the weaver who will go with you in manufacturing it; and you will, as soon as I may hear from you, be provided with such articles as are needful. You

The manu-
facture of
cloth from
flax.

1800	are also to allot three acres of ground for the experiment of cultivating the European flax, and manufacturing it, if found preferable to the New Zealand flax; and also the same quantity of ground for the experiment of cultivating and manufacturing cotton, which may be propagated from that growing on the island and the seeds which you carry with you. You are also furnished with the mode of cultivating that necessary article in the Bahamas. And you are also to encourage, as much as possible, the salting of pork, both from Government stock of swine as well as that of individuals, for the purpose of supplying this place as well as Norfolk Island. And to facilitate this necessary and desirable object, you are herewith furnished with the different modes of salting animal food in warm climates, as well as a plan and directions for making pans to obtain salt from the water by evaporation.
26 June.	
The cultivation of European flax and manufacture of cotton.	
Preserving pork.	
Convict servants of officers	5th. And in obedience to His Majesty's commands particularly enjoined to me by his Principal Secretary of State for the Home Department,* "you are to take especial care that no officer, civil or military, settler, or other person whatever, be allowed to receive provisions or cloathing from the public stores for more than two convicts of any description whatever; and to cause all of that description beyond that number which you may judge proper to allot such officer or settlers to be cloathed and fed at the expence of the individual permitted to employ them; but as the situation of the Governor does not admit of that restriction, His Majesty has been graciously pleased to signify (as above) that the number of convicts which may be absolutely necessary for the domestic purposes of the Governor of this territory be left to his own discretion, on which authority you are not to employ a greater number than is absolutely necessary for the above purposes"; and as you may find it necessary to remunerate the extra duty of a magistrate, performed by one of the most respectable persons on the island, in addition to the Judge-Advocate, you are at liberty to recompence such services by allotting such a number of convicts as you may judge proper, and not exceeding five, in addition to the two allowed as an officer, to the person while acting as a magistrate; and in such cases where you may find it necessary to employ a free man as an artificer or overseer, you are to repay their services by directing their families to be victualled from the public stores, and to have the labor of such a number of convicts as you may judge adequate to their respective services, in regulating
and to the Governor.	
Additional convicts to be allowed to magistrates.	
Payment of free labourers.	

* It appears from Governor King's letters to Under Secretary King and to the Duke of Portland, dated 28th September, 1800 (post, pp. 183, 199, 203), that these commands, although written by King as quotations, were really compiled by him—partly from Hunter's Instructions and partly from "such communications as I had with Mr. Secretary King previous to my leaving England." King did not receive his own Commission and Instructions until late in the year 1802, and then they were drawn up in almost the identical terms used in Hunter's Instructions, differing considerably from the articles quoted by King above, and repeated to Paterson in his letter of 8th September, 1800—post, pp. 139, 140.

which you are to consider the value of each full ration to the public, and the loss sustained by the convict's respective labor if employed for the public benefit. And in continuation of the Royal instructions on this head, "you are strictly enjoined not to permit or suffer the labor of any convict, or other person supported by the public, to be diverted to any private purposes or advantage, under pain of an imprest on your personal pay to the amount of the subsistence of such convicts, and of His Majesty's highest displeasure; and whereas such persons as are, or may become, settlers on the said island, and others, may be desirous of availing themselves of the labor of part of the convicts as are, or may be sent there, His Majesty directs that in case there should be a prospect of their employing any of the said convicts to advantage, that you assign to each grantee, the service of any number of them that you may judge necessary, on condition of their maintaining, feeding, and cloathing such convicts in such manner as shall appear satisfactory to you."

1800

26 June.

Convicts not to labour for private persons

unless clothed and fed by them.

6th. You are herewith furnished with a copy of my instructions to the Commissary at this place, a copy of which, signed by you, is to be delivered to the Deputy Commissary at Norfolk Island; and in recommending a particular attention on your part to the objects contained therein, I am hopeful much public benefit will arise therefrom, both to the interest of His Majesty's service and the welfare of those under your command.

Instructions to the Commissary.

And in obedience to His Majesty's instructions, signified as before mentioned, "you are to attend most seriously to the absolute and imperious necessity for the most rigid œconomy being observed in every circumstance, that may be lead to, or cause the incurring any expences on behalf of the Crown, except on the most urgent occasions, and which can only arise from the want of provisions or necessary stores, the former of which it is expected will not occur if the convicts are employed in a proper manner for the public benefit; but when the ground cultivated for the public account do not yield a sufficiency of grain and animal food for the support of those necessarily maintained by the Crown, you are to fix the price at which such articles may be received into His Majesty's stores during the current year, in doing which you are to be guided by its scarcity or plenty, and the relative worth and price among the inhabitants." In all which transactions you are to observe His Majesty's Regulations on the object of this article, which accompanies these instructions, and conforming herein to the Commissary's instructions.

Rigid œconomy to be enforced.

Purchasing grain and pork from inhabitants.

And in continuation of the Royal command on this head, "you are to be careful that the Deputy Commissary does not issue any article of provisions or stores to any individual whatever, except for the public use and advantage, unless you should judge proper to allow of any person under your command being

Stores to private persons.

- 1800** supplied with any articles in the public stores for their domestic wants," in which case payment is to be made as pointed out by the Commissary's instructions under this head. And it being the intention of His Majesty's Ministers that this colony shall be supplied with articles of general use for public sale, to such of the inhabitants as you may judge deserving thereof, and for regulating the sale thereof, you are hereby furnished with separate instructions* how such articles are to be disposed of, as well as all such as are now in charge of the Deputy Commissary, who you are to direct to receive payment thereof, in such articles of grain or animal food as the stores may need, or in money, which you are to apply to the above purpose, yourself and the Deputy Commissary accounting for the same with the Lord's Commissioners of His Majesty's Treasury, and His Majesty's Principal Secretary of State for the Home Department.
- 26 June.**
- A Government store.**
- Estimates of probable expenditure to be furnished.**
- And as an attentive execution of these instructions during one year will enable you to form an opinion of what the contingent expences of the settlement you command may probably amount to for the next year, you are to transmit me an estimate of the probable expence, under distinct and separate heads; to enable me to report the same to His Majesty's Principal Secretary of State, in doing which you are strictly to comply with the preceding part of this instruction, in addition to which you are herewith furnished with a printed abstract of an Act of Parliament respecting public accountants, which are to comply with, and to take especial care that your annual account current with the Right Hon'ble the Lord's Commissioners of His Majesty's Treasury, also that of the Deputy Commissary, with the necessary vouchers and papers in support thereof, and properly attested before the principal magistrate on the Island, be forwarded to me and open for my inspection and auditing, previous to my transmitting the same, with the public accounts of this colony, to the Inspector General of Public Accounts under cover to His Majesty's Principal Secretary of State, as soon after the 10th day of each October as an opportunity may offer, to which time all the annual public accounts of this colony are in future to be made up.
- Annual returns to be furnished.**
- Importation of spirits.**
- 7th. And whereas it has been humbly represented to His Majesty "that the greatest evils have arisen from the unrestrained importation of spirituous liquors into this territory, as well as at Norfolk Island, from vessels touching there; and that several officers have entered into the most unwarrantable traffic with settlers and convicts for the sale thereof, whereby they have been induced to barter away their breeding stock, as well as mortgaging their growing crops, for the said spirits, to their particular detriment, and consequent misery of their families, as well as the injury occasioned thereby to His Majesty's service, and to the public

* Post, pp. 105, 106, 107.

interest at large in these colonies," you are therefore strictly commanded to order and direct that no spirits be landed from any vessel coming to Port Jackson or Norfolk Island without your consent, for the specific quantity to be landed being previously obtained for that purpose by a written permit; and in case you should judge it necessary to allow of that indulgence to the officers and deserving settlers, for their domestic purposes alone, you are to take care that this indulgence be so regulated by you as to preclude the possibility of its becoming an object of traffic, which orders you are to communicate to all captains and masters of ships immediately after their arrival, and to prohibit by the most effectual means any officer from disgracing His Majesty's service in future, by entering into the traffic, whereby that respect due His Majesty's Commission may be called into question, and you, as well as all officers in His Majesty's service under your command, are to take the most effectual measures that this Article of the Royal Instructions be strictly complied with, under pain of His Majesty's highest displeasure." And I have it further in command to signify that ten pipes of port wine will be sent out annually for the use of the officers, civil and military, to be divided among them as the Governor may judge proper, at such an advance on the prime cost as will cover freight and the stage, a proportion of which will be sent you as soon after it is received as an opportunity may offer.

1800

26 June.

Importation
of spirits to
be regulated
by Foveaux.

Officers not
to engage in
traffic.

The supply
of wine.

8th. Being directed by His Majesty's Principal Secretary of State for the Home Department, that from the size and fertility of Norfolk Island, the utmost circumspection should be observed in allotting the lands to individuals, and that the quantity of ground so to be allotted should not exceed the following proportion, viz. :— To every male, 15 acres; if married, 5 acres in addition; for every child at the time of settling, 3 acres in addition. You are to be careful, in making these allotments, that this mark of His Majesty's bounty is not bestowed on undeserving objects, but on such as are likely, from their characters and former conduct, to be industrious; and it having been humbly represented to His Majesty that this mark of his Royal favor has been bestowed on the most undeserving persons, whose only view has been to create a sufficient property to take them out of the colony, or to sell and barter it away immediately, to prevent which you are, as far as your knowledge of the applicant's character will allow of, to inform me whether they are deserving of grants or leases for fourteen or seven years, when the respective instruments will be forwarded by the first conveyance after I receive the description and boundary thereof, on the conditions hereunto annexed; and in making out these allotments you are not to apply for a grant of any lot now held by lease, all such grounds being registered in the office of the Committee of Privy Council for all Affairs of Trade

Grants of
land

to be con-
fined to the
industrious.

Information
of character
to be sent to
King.

1800	and Plantations, as reservations for the Crown. And you are to
26 June.	be careful that in all future grants you apply for that regard be had to the profitable and unprofitable acres, that each grantee may have his proportion of each ; and likewise that the breadth of each tract to be hereafter granted be one-third of the length of such tract, and that it does not extend along the banks of any rivulet or stream of fresh water, but into the land ; that thereby each grantee may have a convenient share of what accommodation the said streams of fresh water may afford. And you are to cause a reservation of an equal quantity of land between every allotment to be granted for the benefit of His Majesty, his heirs and successors, which spaces so reserved are not to be granted away ; but you are at liberty to recommend the same for a lease of any term not exceeding fourteen years, and on such terms and conditions as you shall judge advantageous to His Majesty's service, subject to such orders as may be given to you on that behalf under His Majesty's sign manual, or by one of the Principal Secretaries of State.
Areas of grants.	
Crown reserves.	
Reserves for general purposes.	9th. You are also to retain the present reservations for the following purposes, as well as all others you may judge necessary in future, viz. :—For erecting fortifications and barracks, or for other military or naval purposes, a town hall, and such other public edifices as you may judge proper, and also for the growth of naval timber ; and you are to cause a particular spot in or as near the town of Sydney as possible, to be set apart for building a church on ; and in the plan of the settlements on Norfolk Island you will observe two allotments of ground numbered —, adjoining to Sydney, which you are to consider as ground belonging to the clergyman, with the reservation of limestone being got from thence for public use ; but as that quantity of ground falls far short of the quantity pointed out by the King's instructions on that behalf, you are to direct one hundred acres in addition to be marked out for the above purpose when a clergyman arrives to do the duty of the Island, and in the mean time you are to appropriate the allotments as you may judge proper.
Church lands.	
Religion.	You are by all proper methods to enforce a due observance of religion and good order among the inhabitants and others under your command, and that you also take such steps for the celebration of public worship as circumstances will admit of.
Quit rents.	10th. And whereas the terms on which the settlers on Norfolk Island, as well as all those who hold allotments by lease, specify the payment of a quit rent, you are, as soon after your arrival as possible on the Island, to direct all such quit rents to be collected up to the time of your arrival on the Island, and appropriate the same to His Majesty's use by directing it to be appropriated for the maintenance of the Orphan School already established by me, and such other schools as you may judge necessary to establish, to which fund you are also to cause all fines and
The Orphan School.	

mulcts to be applied, unless where the law directs an informer to have a part thereof, in which case it must be left to the informer's choice to receive the proportion or to leave it for the above charitable purpose; and I cannot too much recommend to your most serious attention a regard being had to the education and protection of the youth within your command, by causing some public building to be appropriated or erected for their maintenance, education, and being instructed in handicraft professions, under such regulations as you may think proper to obtain so desirable a purpose, and on which the future welfare of these colonies so much depends.

1800

26 June.

Education.

11th. And whereas it is His Majesty's gracious intention that every sort of intercourse between this territory and its dependencies and the settlements of the East India Company, as well as the coasts of China and the islands, settlements in that part of the world, should be prevented, you are not to build, or cause to be built, for the use of private individuals, any decked or open boat or vessel whose length of keel shall exceed twenty feet, nor is any vessel arriving from the above ports to have any intercourse with any of the inhabitants within your government without your especial permission for that purpose previously obtained.

Boat building.

12th. You are to omit no opportunity of informing me of your particular situation, and that of the Island under your command, together with the papers mentioned in the enclosure; and whenever an opportunity offers of a vessel leaving the Island to go to England or India, you are to give all such information to His Majesty's Principal Secretary of State for the Home Department, transmitting me copies of the same by the first conveyance.

Given under my hand at Sydney, this twenty-sixth day of June, 1800, in the fortieth year of His Majesty's reign.

PHILIP GIDLEY KING.

[Enclosure No. 3.]

REGULATIONS FOR GOVERNMENT STORE AT NORFOLK ISLAND.

SEPARATE instructions for establishing, and regulations for conducting, a selling store for various articles necessary for the use of the inhabitants of His Majesty's colony in New South Wales and its dependancies.

1. That no inconvenience or disappointments may arise for want of these supplies, two returns or lists must be made out, and sent yearly, by the Deputy Commissary, and approved by you, to me, or to His Majesty's Principle Secretary of State for the Home Department, one of which lists must be for articles wanted for the use of the Crown, and the other of necessary articles wanted for the inhabitants; to be disposed of to individuals in return of grain,

Lists of requirements.

1800	live stock, or for money ; and the utmost attention must be paid, that no more of any species be demanded than may be wanted by the Crown, or inhabitants, in the course of the year.
26 June.	
Custody of stores.	2. The articles sent out, will be consigned to you, to be given in charge to the Deputy Commissary, who is to lodge these articles in a store, entirely separate from any other, and placed under the management of the storekeeper.
The margin of profit.	3. An invoice of the prime cost will be sent you, and if the articles should arrive in a general good condition, the advance must not exceed 30 per cent. on perishable, and 15 per cent. on unperishable articles ; but if a great part be damaged, such further advance must be laid by you to indemnify the Crown for goods damaged, exclusive of freight advance, which is for freight, expenses, and losses by issuing in small quantities ; and as soon as convenient after the arrival of such goods, publick notice must be given of the price at which these articles will be disposed of.
Method of disposing of stores.	4. The store for the exchange and sale of these articles must not be opened but at the stated periods, previous to which the Deputy Commissary must deliver you a list of articles wanted, for whom, and the proposed mode of payment, and receive your directions, which he is strictly to comply with.
Accounts to be kept and returns made.	5. The Deputy Commissary must deliver you a return of the articles disposed of, and for what consideration, after an issue is made ; also an annual account thereof, conformable to the seventh article of your instructions to the Deputy Commissary. In these annual accounts the persons supplied are to sign their names as vouchers for the expenditure.
Payment on delivery.	6. No article must be delivered unless the purchaser has lodged an equivalent in the publick store, or made payment in money (excepting in such cases where you may judge necessary to grant that indulgence to any family that may be distressed untill their crops are ripe, or stock is in a markettable state).
Supplies to officers.	7. Officers (civil and military) and soldiers may be supplied with such articles as they may want for their personal use only, on making payment as above, or by bills on the Colonial regimental agents ; but especial care must be taken not to issue to any individual such a quantity of any article as will allow of its being retailed again ; and you are to issue a standing ordinance, disabling any individual offending in this particular from purchasing any article in future from the publick store. And it is fully to be understood by every officer or other person subject to military discipline, they are to declare that the articles required are for their personal and domestick uses only, and without any intention of disposing of the same.
Penalty for misrepresentation.	8. If any person should abuse this indulgence in procuring by means of agents, or in any other the most indirect manner, any greater quantity of those articles than comes to the share of an

individual or family, for the purpose of retailing it out again, every person so offending must be deprived of every future supply and otherwise dealt with as the offence may deserve, and the local state of the colony may require. 1800
26 June.

9. As circumstances may occur wherein it may be necessary to use articles sent out for sale for the publick service of the colony, in such cases the [Deputy] Commissary must not make that deviation without a written order from you for that purpose. The public service.

Given under my hand, at Sydney, New South Wales, this 26th day of June, 1800.

PHILIP GIDLEY KING.

[Enclosure No. 4.]

CONDITIONS OF LAND GRANTS.

26th June, 1800.

CONDITIONS on which grants in future are to be allotted to any convicts who, from their good conduct and a disposition to industry, may be deserving thereof, viz :—

To every male shall be granted 15 acres—if married, 5 in addition ; and for every child at the time of settling 3 acres*— free of all fees, taxes, quit rents, or other acknowledgements whatsoever, for the space of ten years : Provided that the person to whom such land shall have been granted, shall reside within the space, and proceed to cultivation and improvement thereof, during the term of five years from the date of the grant, provided the grantee shall so long live ; and any sale or conveyance of the said lands before the expiration of the said term of five years shall be void, and the said land shall revert to His Majesty, his heirs and successors, except it shall be certified under the hand and seal of the Governor, or in his absence the Lieutenant-Governor of His Majesty's colony of New South Wales for the time being, that the same was made with his consent. This restriction must include all leases made to emancipated convicts, or to those whose terms of transportation are expired, which must not be assignable except with the consent in writing of the Governor, or Lieutenant-Governor, for the time being—a reservation to be made for the Crown of such timber as may be growing, or to grow hereafter, upon the land so granted, which may be fit for naval purposes, and an annual quit rent of sixpence for every thirty acres after the expiration of the term before mentioned. The grantee and his family are to be subsisted with the rations usually issued from the stores for the term of eighteen months from the time of his taking possession of the ground, and no longer ; nor is

Areas of land grants.

Residential condition.

Leases to emancipists and expires.

Timber reservations.

Rations for eighteen months.

* By Phillip's original instructions he was authorised to grant to emancipated convicts 30 acres if single, and 50 acres if married, with an additional 10 acres for every child born at the time of issue of grant (vol. i, part 2, p. 90). This clause was repeated in King's Instructions, but the more circumscribed area of Norfolk Island did not allow of such grants being made there as at Sydney. It may be presumed that the convicts mentioned in the opening paragraph were emancipists.

1800 any convict who the Lieutenant-Governor may think necessary
 26 June. to allow such settler to be victualed from the stores longer than
 Tools, seed, of tools and utensils, and such a proportion of seed, grain, and
 and stock. stock, &c., as may be proper and can be spared from the general
 stock of the settlement; and should the grantees be desirous of
 availing themselves of the labour of part of the convicts as are,
 or may be, sent there, if there should be a prospect of their
 employing any of the said convicts to advantage, the Lieutenant-
 Assigned Governor is to assign to each grantee the service of any number
 servants. of them that he may judge sufficient to answer their purposes, on
 condition of their maintaining, feeding, and cloathing such convicts
 in such manner as may appear satisfactory to him.

Given under my hand, at Sydney, in New South Wales, this
 26th day of June, 1800.

PHILIP GIDLEY KING.

LIEUTENANT-GOVERNOR KING TO MAJOR FOVEAUX.

Sir, Sydney, 26th June, 1800.

Supply of
 fresh meat
 at Norfolk
 Island.

Salt meat to
 be returned
 to Sydney.

Destruction
 of stills.

No returns
 since
 Townson's
 departure.

Since closing my letter No. 1 to you, Governor Hunter has
 communicated such recent information as he has received from the
 officer now commanding on Norfolk Island, by which communica-
 tion I observe, with great pleasure, that the raising and supply of
 fresh meat issued to the inhabitants, in lieu of salt provisions sent
 from England, has continued uninterrupted since my departure
 from thence, exclusive of the very great quantities of salted pork
 brought hither for sale by individuals; and as it appears the salt
 provisions in the stores are spoiling from the length of time they
 have been kept, if any should remain on your arrival, you will be
 pleased to direct the Deputy-Commissary to send it to the Com-
 missary at this place by return of the Francis or Porpoise, when
 either are sent to you. When the Porpoise arrives you will
 receive a proportion of the agricultural stores, &c., that is on board
 that ship, and you will not fail to observe that the conduct of
 Capt'n Rowley in destroying the stills which has occasioned much
 illhealth among the inhabitants, caused by the poison they fur-
 nished, merits my warmest approbation; and I hope, if the indirect
 threat that has been made by Hambley and Ransom can be sub-
 stantiated, that they will be punished to the full extent of the
 law. As Captain Rowley complains of illhealth, that officer is
 to be permitted to return to this place, if an opportunity should
 offer, before the relief takes place, which will be as soon after the
 Porpoise's arrival as she can be refitted.

Among the few returns that Governor Hunter has received from
 Norfolk Island, I am called on by my duty to remark that no
 general return of the state of the settlement, employment of the

people, or other necessary papers, appears to have been sent here since Capt'n. Townson's departure; nor can I doubt that officer's leaving his successor my directions and the list of papers similar to that which accompanies my present instructions to you, in which it would have been discovered that those documents were calculated to possess the Governor-in-Chief of the actual state of that settlement, for want of which I am at a loss how to account for the numbers now on that island, their employment, &c. You will therefore request Capt'n Rowley to furnish himself with all these necessary documents, to deliver to me on his arrival here, made up to the day before he gives up the command to you, which must not prevent you from sending your's, also made up to the time that any opportunity offers of communicating with me.

1800

26 June.

Captain Rowley to furnish them.

Among the returns made by Capt'n Townson to Governor Hunter, I observe a number of artificers, labourers, &c., have been employed for public works at ten, five, and three shillings a day, which sum appears to have been paid by the Deputy Commissary, and approved of by Capt'n. Townson, the necessity of which I cannot account for, as I observe by Capt'n Townson's last return of the state of the settlement that there were sixty-eight free men, or those whose times are expired, and ninety male convicts, making together one hundred and fifty-eight men, victualled by Government; but what part of that number has been employed for the public benefit I cannot judge, for want of the necessary return of the employment of those victualled from the stores, &c. This transaction I am certain will be highly disapproved of by His Majesty's Government; and, as I have already guarded you against employing free men when convicts can be found to do the labour, by the 5th article of your instructions, I shall only add on this head that a quantity of spirits and wine are sent by the Commissary, which is to be at your disposal, in payment for such free people as you may judge necessary to employ, distributing it with the utmost economy and discretion. I have directed the Commissary here to inform the Deputy Commissary the price at which spirits have been paid away from the stores here to people of this description.

Paid labourers.

Convicts and expires victualled by Government.

Labourers to be paid in spirits or wine.

I have, &c.,

PHILIP GIDLEY KING.

LIEUTENANT-GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord, Sydney, New South Wales, 27th June, 1800.

Finding on my arrival here that the Government of Norfolk Island was administ'ed by the Captain of the New South Wales Corps during his yearly tour of duty, and being well convinced that an officer so situated could not discharge that trust, either in a manner satisfactory to himself or to the concerns of the internal management of the island, equal to one who might be fixed there for some time; and as Major Joseph Foveaux, of the New South

27 June.

The Commandant of Norfolk Island.

1800 any convict who the Lieutenant-Governor may think necessary
 26 June. to allow such settler to be victualed from the stores longer than
 Tools, seed, of tools and utensils, and such a proportion of seed, grain, and
 and stock. stock, &c., as may be proper and can be spared from the general
 stock of the settlement; and should the grantees be desirous of
 availing themselves of the labour of part of the convicts as are,
 or may be, sent there, if there should be a prospect of their
 employing any of the said convicts to advantage, the Lieutenant-
 Assigned Governor is to assign to each grantee the service of any number
 servants. of them that he may judge sufficient to answer their purposes, on
 condition of their maintaining, feeding, and cloathing such convicts
 in such manner as may appear satisfactory to him.

Given under my hand, at Sydney, in New South Wales, this
 26th day of June, 1800.

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1800

26 June.

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Paid
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27 June.

The Com-
mandant of
Norfolk
Island.

1800 Wales Corps, made an offer of going thither and acting as Lieutenant-Governor thereof, until His Majesty's pleasure may be signified, and assuring me of his attending strictly to my instructions, deeming it essential to the interest of His Majesty's service that he should assume that command as soon as possible, I applied to Governor Hunter, who made an agreement with the commander of the Hunter, an East India trader, to land Major Foveaux, with a certain number of people and stores, at the island, on his way to the East Indies, for which she took her departure this day. I have the honor to enclose copies of the appointment and instructions I gave that officer,* which I hope will be returned with your Grace's approbation.

I have, &c.,

PHILIP GIDLEY KING.

LIEUTENANT-GOVERNOR KING TO UNDER-SECRETARY KING.

Sir, Sydney, New South Wales, 27th June, 1800.

I wrote officially by the Friendship, which sailed from hence May last. Those letters you will receive before you can this. I have now been here eleven weeks. The Buffalo is still and will in all appearance remain some weeks longer in fitting, so that I do not expect to have the government given up to me before September†; and as the Buffalo will certainly sail during this month, I think it is more than probable that you will get my official letters by that ship much sooner than you can by this conveyance. My only reason for writing this is just to say that I am here enduring the cold indifference of one, and the approaching hatred of all; but neither of these shall deter me from doing what I assume to be my duty, in which I shall need much support at Home, for here I can expect little or none.

I am, &c.,

PHILLIP GIDLEY KING.

FROM INDIAN GOVERNMENT OFFICIALS TO GOVERNOR HUNTER.
(King Papers.)

3 July. Hon'ble Sir, Fort William, 3rd July, 1800.
We had the honor to address your Excellency under date the 11th Nov'r last, and requesting you to take such steps as might appear to you best calculated for preventing persons who have been transported as convicts to New South Wales from being landed in any part of India.

2. Not having received from your Excellency any reply to that letter, and a considerable number of persons who have been convicts having been landed from the Minerva, a ship lately arrived from Port Jackson, we presume that our letter had not reached your Excellency before the departure of that ship.

* The appointment and instructions of Major Foveaux will be found enclosed in Lieutenant-Governor King's letter to him of 28th June, ante, p. 96 *et seq.*
† King assumed the Government on September 28th.

3. We have now the honor to transmit another copy* of our letter of the above-mentioned date, and we are persuaded that your Excellency will lose no time in taking such measures as you may judge best calculated for preventing the resort to India of persons from whose establishment in these possessions the most prejudicial consequences are to be apprehended both to the British character and interest.

1800

3 July.

Necessity for preventive measures.

4. Conceiving that a knowledge of the measures which we have judged it necessary to adopt for preventing convicts from Botany Bay from establishing themselves in any part of the British possessions in India may contribute essentially to prevent persons of that description from repairing to India, we request that your Excellency will be pleased to cause the enclos'd proclamation,† which has been published at the several Presidencies, to be made as public as possible throughout the limits of your government.

A proclamation issued.

5. We also beg leave to suggest to your Excellency the expediency of providing convicts whose period of transportation shall have expired, and who may be desirous of leaving New South Wales, with a conveyance to England or to any place out of the limits of the charter of the East India Company.

Any place but India.

6. We also request that commanders of ships sailing from New South Wales for any port in India may not be permitted to receive persons who have been convicts on board of their ships, either as passengers or in any other capacity, untill they shall have entered into penalty bonds not to permit such persons to land in any part of India.

Penalty bonds.

7. We further request that copies of these penalty bonds may be forwarded to the Government of the Presidency to which the ship may be destined.

We have, &c.,

WELLESLEY.

ALURED CLARKE.

P. SPEKE.

WM. COWPER.

[Enclosure No. 1.]

INDIA GOVERNMENT OFFICIALS TO GOVERNOR HUNTER.

(King Papers.)

Hon'ble Sir,

Fort William, 11th November, 1799.

We had the honor to transmit to your Excellency a list of convicts from New South Wales now resident in Calcutta.

2. If any of the persons specified in the list should have quitted the settlement under your charge without permission we shall take the earliest opportunity of conveying them back to Port Jackson on your expressing a wish to that effect.

A return passage.

* Enclosure.

† The proclamation was made public by King in his General Order of 18th December, 1800—post, pp. 270, 271.

1800
3 July.
Undesirable
immigrants.

3. It being essential to the good order of the territory of the Company, and in other respects of considerable importance to their interests, that convicts from New South Wales should be prevented from establishing themselves at any of the British settlements or in any part of India, we request that your Excellency will take such measures as may appear to you most effectual for preventing the commanders of ships who may receive convicts on board with your permission from landing or leaving them at any of these settlements or any place in India.

4. We further request generally that your Excellency will use every means in your power for preventing convicts of every description, whether the period of their transportation shall have expired or otherwise, from repairing or being conveyed to India.

We have, &c.,

MORNINGTON.

ALURED CLARKE.

P. SPEKE.

WM. COWPER.

—
LIEUTENANT-GOVERNOR KING TO TREASURY COMMISSIONERS.
(King Papers.)

Sydney, New South Wales,

7 July.

Gentlemen,

7th July, 1800.

Disposal of
private
stock.

Purchased
by Govern-
ment

for breeding
purposes.

Governor Hunter having received His Majesty's commands to return to England, and to leave the government of this territory with me, Captain Kent, commander of His Majesty's ship *Buffalo*, in which ship the Governor takes his passage, and Major Joseph Foveaux, of the New South Wales Corps (whom I have appointed to act as Lieut.-Governor of Norfolk Island until His Majesty's pleasure is signified thereon), having applied to me to purchase their private stocks of cattle for Government prior to their departure, I consented to direct them to be received and taken care of among Government herds on the enclosed conditions, to which they severally consented, and payment has been made by conditional bills on their Lordships, subject to approbation or rejection, as expressed in the bills and letters of advice, and I have to request you will be pleased to offer these my respectful reasons for this transaction, which are :—

1st. To prevent the colony being deprived of such a proportion of breeding stock, as those gentlemen would have been obliged to kill them for sale, by which they would have got upwards of £80 a head, whereas Government receives them at £37, the price their Lordships agreed to pay the last importer, Mr. Hogan.*

2nd. The necessity there appears of drawing some subsistence from the Government stock of cattle for those necessarily maintained by the Crown, as the great and valuable stock that Government now possesses (exclusive of that part that are wild) as appears

* Ante, p. 94 and note, and vol. iii, pp. 290, 300.

by the enclosed return,* induces me to hope we shall soon commence issuing a proportion of fresh beef, although that must be done with much circumspection for some years to come, a great part of the males being necessary for labouring oxen.

1800

7 July.

3rd. The great advantage gained by purchasing these cattle on the spot to sending for them to the Cape, as those brought from thence have always been in bad condition exclusive of the numbers lost after they have been landed by dying in such quantity as they have done after the voyage.

Cape cattle.

From the number of cattle we now possess, I do not think it advisable to send for any more from the Cape of Good Hope, but to attend to breeding from the great stock we now possess, which I have more particularly explained to His Majesty's Principal Secretary of State, but have at the same time requested a breed of large cattle and horses from England.

English horses and cattle.

Finding the greater part of the children in this colony so much abandoned to every kind of wretchedness and vice, I perceived the absolute necessity of something being attempted to withdraw them from the vicious examples of their abandoned parents.

Abandoned children.

The necessary buildings for the preservation of the grain requiring an immediate exertion, no artificers can be spared from that necessary work. I have it in contemplation to raise such a fund from the entries and clearances of ships, and a duty on landing articles for sale, together with the application of all fines and charitable donations, to erect a large building for the reception and education of those children; but as these means required a length of time to bring it to a beginning, I reluctantly deferred it until some more favourable opportunity. Captain Kent, of His Majesty's ship Buffalo, having lately built a spacious brick dwelling-house and offices on a grant of land at this place, has made an offer of it for the above purpose, at a proper valuation. As I conceived the possession of this house for this humane and necessary purpose might excuse any impropriety in my making a conditional agreement with Captain Kent for his expence in building it and property therein, I have therefore taken it upon me to give a conditional bill for the estimated value thereof, provided the utility of the purchase should be approved of by their Lordships and His Majesty's Principal Secretary of State. My motives for proposing these conditional expences I trust will be thought an admissible reason for these transactions, without a previous authority for that purpose.

An asylum.

An orphan house conditionally purchased.

I have the honor to enclose vouchers for those expences, and beg leave to request being informed as soon as possible whether these bills are liquidated or not, that I may charge myself therewith in my account with their Lordships.

I have, &c.,

PHILIP GIDLEY KING.

* See the return under date 15th August, 1800, post, p. 118.

1800
7 July.
—
Capt.
Macarthur's
proposal.

P.S.—Since writing the above, Capt. McArthur, of South Wales Corps, has made the application, as per enclosure which I have added my observations. I beg to refer your reasons (given in the preceding part of this letter) for my conditional purchase of the officers' stock who are going to I beg leave to request their Lordships opinion by the 1 having wrote to His Majesty's Principal Secretary of State

[Enclosure.]

Sir,

Parramatta, 30th September

The disposal
of
Macarthur's
stock.

I take the liberty respectfully to represent to your Excellency that in consequence of my wishing to return to England as soon as I can obtain leave, I have determined to dispose of my live stock of horses, horned cattle, and sheep, and this is impossible to do but in small quantities at a time for sale.

His terms of
sale.

I, therefore, beg leave to submit for your consideration an annexed statement, in which a price is set on each species of stock for the purpose of breeding will be of advantage to your Excellency's colony, I shall be very happy to dispose of the whole, farms, for the sum of four thousand pounds, which is the cattle and sheep amounted to at the very lowest prices that any species has ever been sold at in this settlement.

I have, &c.

JOHN MCA

[Enclosure.]

CAPT. MACARTHUR'S LIVE STOCK.

Remarks by Governor King.

Horned
cattle.

These cattle are generally of a very superior breed to those belonging to Government, and are in very good order.

Fifty head of horned cattle, of which 32 are females, 3 of which are Spanish, and most of the herd are of the English breed, at £37 per head.

Horses.

The horses are in very good order, and will be useful, exclusive of the breed.

Ten horses at £65 per head, which are mares of the Irish and one remarkable finest American—£650.

Sheep.

The sheep would be a great acquisition for Government, from the very great advantage that will hereafter be derived from the Spanish wool, samples of which, from the flock, are sent to the President of the Royal Society.

Six hundred sheep, of which are Spanish, and of the flock of that breed, at head—400 of the sheep at £1,500.

Total, £4,000.

The farm close to Parramatta has been very improperly granted away by former Governors. The houses, barns, and buildings would be very useful. The farm is quite cleared of timber, contains good grazing and

As the selling the whole of the stock would be very desirable to McArthur will, for the purpose of four thousand pounds with the stock his farm to the town of Parramatta.

* See also Governor King's letter of 14th November, 1801, post, p. 620.

able land, which would, in the course of two years, repay Government.

The grass farm is the best in the colony, and has every convenience for feeding and sheltering a large herd of cattle, exclusive of the great advantage of the cleared ground for cultivation. I am so well convinced of the great utility these acquisitions would be of to the public interest that I beg leave to recommend my being authorised to make this bargain, and to extend it in the same proportion for the increase of stock between this offer and my receiving permission to make the purchase.

is a good brick dwelling house and other convenient buildings, with near three hundred acres of cleared land, well fenced in; also his grass farm, consisting of one thousand acres, one hundred acres of which is cleared, and has on it large and roomy sheds and buildings for sheltering the stock, all newly built.

1800

7 July.

The homestead.

JOHN MCARTHUR.

GOVERNMENT AND GENERAL ORDER.

10th July, 1800.

10 July.

LIEUTENANT-GOVERNOR KING is concerned to find that a report has been spread among the settlers that it was his determination not to allow of any wheat being received from the settlers at the Hawkesbury. He thinks it proper to declare that such report is false, and that it is equally his inclination, as well as his duty, to shew no preference to any place or industrious description of people, but that the accommodation of the grower of wheat, or any other article the stores may be in need of hereafter, will be preferred on all occasions to that of any other individual.

Purchasing wheat from settlers at the Hawkesbury.

PHILIP GIDLEY KING.

FROM INDIA GOVERNMENT OFFICIALS TO THE SECRETARY FOR THE TIME BEING TO HIS EXCELLENCY THE GOVERNOR OF NEW SOUTH WALES. (King Papers.)

Sir,

Fort William, 17th July, 1800.

17 July.

I am directed by the most noble the Governor-General in Council to desire you will inform His Excellency the Governor that His Lordship in Council has been induced to permit Mr. Alex. Foggo to ship 4,000 gallons of Bengal rum on his private account for New South Wales in consideration of peculiar circumstances represented by him to the Governor-General in Council, and of his having purchased the rum for that purpose before the advertisement prohibiting the exportation of spirits to New South Wales was published.

Bengal rum for New South Wales.

I am further directed to desire you will inform His Excellency that the rum is not to be landed or sold without His Excellency's permission.*

I am, &c.,

C. R. CROMMELLIN,
Secretary to Public Government Department.

* Governor King allowed this rum to be landed, the price being ten shillings per gallon.

1800. UNDER-SECRETARY KING TO COMMISSIONERS FOR THE TRANSPORT SERVICE.

1 Aug. Gentlemen, Whitehall, 1st August, 1800.

I transmit to you herewith, by direction of the Duke of Portland, copy of a letter* which His Grace has received from Mr. Wilson, managing owner of the ship *Earl Cornwallis*, requesting permission for the officers of that ship to be allowed to put on board goods and merchandise on their own account to convey to New South Wales. I am to add that His Grace is of opinion that after providing stowage for the beef and pork, and all the other articles mentioned in the within letter to the Lords Commissioners of the Treasury, if they can be carried, there is no objection to complying with the request made by the officers of taking out a reasonable quantity of articles, provided they furnish the Transport Board with a correct invoice and the price of each article annexed, certified by the person who has sold them, to be transmitted by that Board to the Governor, and that they deliver a similar list to him upon their arrival at the settlement, and engage not to sell any of the said goods, but at such an advanced price, allowing for risk and freight, as the Governor shall think proper to direct.

Private trading.

Invoices to be furnished.

I am, &c.,

J. KING.

FROM MESSRS. ENDERBY AND CHAMPION TO EARL LIVERPOOL.†

My Lord, Paul's Wharf, 1st August, 1800.

1. After many years of fruitless and expensive attempts, we have at length succeeded in ascertaining that there is a valuable spermaceti whale fishery on the coast of New South Wales, two vessels having returned from that coast, one with a cargo of 170 tons, the other with 120 tons of spermaceti oil, which are sufficient inducement for adventurers to send their vessels *direct to that coast* for the purpose of whale fishing.

Remunerative whale fishery.

2. Hitherto the communication with the colony has been very partial, none but vessels taken up by Government for the purpose of carrying out convicts or stores going there, and it has too often happened, from unforeseen events and unavoidable detention, that the colony has been nearly starved. The constant and frequent communication which will now take place thro' the whaling ships will enable Government almost to anticipate every want of the colony, and at a much cheaper freight than heretofore.

Whalers as traders.

* The letter was dated 24th July, 1800, and, as it was a mere formal application, is omitted.

† This letter was forwarded to Under-Secretary King by Lord Liverpool, with a request that the Duke of Portland would favour him with his opinion thereon.

3. The colony now consisting of 10,000 persons, begins to be of consequence, politically and commercially, and must take off a considerable quantity of our manufactures; but great complaints are made that what few goods reach the colony have been immediately engrossed by a few individuals, and again sold out at a most exorbitant price to the settlers and those convicts who had served their time out. 1800
1 Aug.
Monopolists.

4. With submission to your Lordship, we think this evil might be remedied, and the colony much benefitted, by permitting the whalers to carry out goods to New South Wales, under bond that they shall be there landed and disposed of. It would reduce the value of goods, from the supply being more regular, to a fair price, and enable the masters of the whalers to purchase such refreshments and necessaries as they may stand in need of in a voyage of two to three years, on reasonable terms, but which they are now obliged to pay most exorbitantly for. A mutual benefit.

The Americans, hearing that New South Wales is considered within the chartered seas of the East India Company, and that no British merchant can send goods to that colony without the risque of seizure, have at times sent small vessels there with investments of goods in their way to India or the north-west coast of America, and have benefitted themselves so much thereby, that there is no doubt if the restrictions are still continued against British merchants sending goods there, that they will monopolize all the advantages of the trade to New South Wales, and this country will have all the expense of supporting it. American traders.

We remain, &c.,

CHAS., SAML., AND GEO. ENDERBY.
ALEXR. AND BENJ'N CHAMPION.

This document bears the following comments by Under-Secretary King, evidently the draft of reply to Lord Liverpool:—

The fact is as stated by the South Sea whalers, and to counteract the evil as much as possible we have set up a Government store to relieve the inhabitants. There can be no doubt but that it would be done more effectually if the South Sea whalers were to carry out articles under bond, as proposed; but to this should be added an engagement to sell at such advance on their respective invoices, not being less than — per cent. thereon, as the Governor, before the articles are allowed to be landed, shall direct, otherwise for some time to come it will be a monopoly to the South Sea whalers, equally distressing in reality to the inhabitants as at present; and at all events Government, to keep the market tolerably even, should every year send out an assortment of articles, equal or approaching in value to what Government wants from the inhabitants, and to be exchanged in barter for the same. This is my opinion on the subject, and your Grace has acted upon it by Regulation for South Sea whalers.
Barter.

1800

1 Aug.

Healthy
competition.A public
store
desirable.

having sent out in the last ships not less than, I dare say, £15,000 or £20,000 worth of articles most wanted. I think this supply should be kept up by sending out annually articles to half that amount for the Government store. This would do, because, as the colony increases, the South Sea whale fishery will increase, and the means of supply through them, if they are allowed to carry articles out, so that after a while competition will do that which the Government store and arbitrary power of the Governor to regulate the price must do now. I think the India Company, on a proper representation, could not refuse to make an order allowing the South Sea whalers to carry out articles on board, to land the same in New South Wales or to bring them back to Europe. The interest of the Company cannot be affected, nor can their trade, for the South Sea whalers can carry the articles nowhere else but to New South Wales, except that they might, perhaps, smuggle them, some time hence, into South America, a circumstance beneficial to this country, but nowise affecting the India Company. I agree with you on this subject. Supposing the South Sea whalers disposed to submit to have the prices regulated, the best way of doing it, I think, is by having a publick store at the expence of Government for some years to come.

15 Aug.

Live stock
and grain.

ACCOUNT of live stock belonging to the Crown in His Majesty's territory of New South Wales, by the Stock-keeper's Returns, and those belonging to settlers and other individuals, with the quantity of ground under cultivation, as accounted for at the general musters, for the 17th of July, unto the 15th day of August, 1800.

To whom belonging.	Cattle and Horses.				Sheep.		Goats.		Swine.	Grain sown, in acres.	
	Cows and Calves.	Bulls, Oxen, and Calves.	Mares.	Horses.	Male.	Female.	Male.	Female.		Wheat.	Maize intended to be planted.
Government—											
At Toongabbie ..	170	92	27	3	137	..	4	8	9	300	100
At Parramatta ..	154	58	..	..	61	427	..	..	..	..	..
At Capt. George Johnston's, Annandale ..	149	27	..	..	..	..	..	..	..	..	..
At Sydney ..	18	44	..	..	..	..	..	..	..	..	..
At the Seven Hills, received conditionally, belonging to Governor Hunter, Major Foveaux, and Capt. Kent ..	35	18	..	..	..	..	..	..	..	..	..
	526	239	27	3	198	427	4	8	9	300	100
Individuals ..	186	93	116	57	1,833	3,666	723	1,447	4,008	4,365½	2,830
Total ..	712	332	143	60	2,031	4,093	727	1,455	4,017	4,665½	2,930

CAPTAIN WATERHOUSE TO EVAN NEPEAN.

1800

Reliance, in Plymouth Sound,

27 Aug.

Sir,

27th August, 1800.

I have the honor to acquaint you, for the information of my ^{The} Lords Commissioners of the Admiralty, that I yesterday anchored ^{Reliance} with His Majesty's ship Reliance, under my command, in Plymouth Sound, with the Hon'ble East India Company's ship Earl Howe, extra ships Mornington, Caledonia, and Hercules.

The very weak state and continual repairs required to enable the Reliance to perform further service for the benefit of the colony in New South Wales has occasioned Captain Hunter to give directions for her proceeding to England whilst in a condition fit ^{returns to} to accomplish it. In consequence of these directions, on the 3rd ^{England for} day of March I sailed from Port Jackson. ^{repairs.}

After a tempestuous passage, on the 30th of May I arrived at the ^{Her arrival} Island of St. Helena, at which place I received the most liberal ^{at St.} and generous supplies for the refreshment of a sickly crew from ^{Helena} the Hon'ble Governor Brooke. In consequence of his request, I took under charge the ships before mentioned, and also by signal I made for convoy the Favorite from St. Georgia, laden with oil (which ship parted company on the 5th day of August, in latitude 39° 50' north and longitude 35° 39' west). On the 17th of June I put to sea with the above-mentioned convoy from St. Helena, ^{and voyage} on the 22nd of August arriving off Ireland with His Majesty's ^{to England.} ship Cerberus, Captain McNamara, who protected the convoy to this place.

I have likewise to represent to their Lordships that two days after leaving Port Jackson two convicts belonging to that place, ^{Escaped.} having concealed themselves in the ship, made their appearance, and while at St. Helena three more were put on board the Reliance by the master of the American ship Ulysses, who had effected their escape in the American ship Rescue.*

I have, &c.,

H. WATERHOUSE.

GOVERNOR HUNTER TO OFFICERS.

Gentlemen,

Sydney, 4th September, 1800.

4 Sept.

Having received information that certain seditious assem- ^{Seditious} blies and consultations of the people have been held in different ^{assemblies.} parts of this colony, to the great danger of His Majesty's Government and the public peace, I have to desire you will meet and call before you all such persons as you shall be of opinion can afford

* In answer to this part of his letter, Captain Waterhouse was directed to hand the two convicts over to the mayor of Portsmouth.

1800 you any information how far these reports are well or ill-founded,
4 Sept. and to suggest such other steps as may appear to you necessary for
the preservation of order.

I am, &c.,

JNO. HUNTER.

To Richd. Dore, Esq., J.-Advocate; Lieut.-Col. Paterson; Capt.
E. Abbott; Lt. N. M'Kellar, N. S. Wales Corps; Wm.
Balmain, Esq.

SUMMARY OF PROCEEDINGS.

4th September, 1800, at the hour of 10.

THE gentlemen nominated in the above letter assembled and proceeded to interrogate

Father
Harold.

James Harold (priest) as to certain conversations he had revealed, particularly to Wm. Balmain, Esq. Harold was desired to repeat the substance of such conversations being of an inflammatory tendency, and tending to cause revolt and insurrection in this colony. Harold refused to give up his authority for such conversation, but admitted he had rec'd such information, and observed "that he would bring no man forward that he knew to be dissentient to Government or making revolt whatever." Declared, on being asked by Mr. Balmain as to what manner the person or persons who had thus expressed themselves intended to carry their point according to what they said to Harold, and whether in answer to Harold's enquiries to them on the subject, that such person or persons told Harold that their plan was to surprise the outposts, seize their arms, and proceed to headquarters for the accomplishment of their purpose, to which Harold declared to Mr. Balmain that he replied, "You damnation fool, had you not better be content with the Government you have than set up one of yourselves which would soon turn out to be one of tyranny and oppression." That yesterday morning, on Mr. Balmain cautioning the examinant to be careful in his endeavours to suppress the insurgents, for that Government were determined to bring all those concerned to condign punishment, Harold replied he hoped Mr. Balmain would endeavour to prevent such measures, for if Government was so rash as to fire a shot, they perhaps would have cause to repent it; that matters were much more forward than he himself approved, and they would not be such fools as to attempt anything in the day. Harold further related that on his questioning his informants what further means they had in view of effecting their plan, they replied that they had reason to believe, from the number of disaffected men in the Buffalo, that they would have no difficulty in securing that ship, and from the number of discontented settlers at the Hawkesbury they would have little doubt of bringing them over to their purpose; that matters were in a worse state than he liked himself,

The plans
of the
insurgents.

A warning
and a threat.

The Buffalo
to be
secured.

but that he had influence enough to damn the business ; that he afterwards informed Mr. Balmain that he had damned the business ; pledged himself to give the earliest information to Government to put them on their guard if he failed in suppressing their measures himself. This examinant, on being advised to withdraw, still persisted in declaring he would bring no man by the neck, or any person forward ; would rather lose his own life a thousand times first.

1800

4 Sept.

The priest interferes,

Harold being recalled and asked if he had considered the propriety of discovering the persons concerned in the plot, peremptorily declared, with a confidence highly unbecoming him, that he wo'd not reveal more than he had done ; that he was sorry he had given any information ; that his conscience as a priest shielded him from making such disclosure ; that he thought himself competent to manage the revolvers himself ; and that if he was a Turk he should feel himself bound to act in the same manner.

but will not divulge any names ;

James Harold committed to gaol for prevaricating and withholding the truth.

he is imprisoned.

R—— B——, Irish convict, examined, acknowledges being at Parramatta on Sunday last with disaffected persons ; that the subject of their conversation was a revolt, but refuses to declare the particulars.

An admission.

Committed for further exam'n.

M—— S——, examined, denies any information.

Committed for further exam'n.

At half-past 2 adjourned.

Friday, 5th Sept'r.—At 11, the meeting assembled.

T—— B——, being sworn, saith Joseph Holt related to him his being an Irish insurgent, and of the desperate acts he had committed in Ireland ; that he had shot his own brother, who had acted on principles of loyalty opposite to his, but did not allude to any revolt in this country.

Joseph Holt.

J—— M—— sworn, deposeth that on Friday even'g last P—— M—— came to his house and asked him if he wished to go home or obtain his liberty ; that he answered he was already free and did not wish to go home till peaceable times ; that P—— M—— replied, " You are not safe in your bed " ; that the witness said he did not understand him ; that P—— M—— answered there were a number of his countrymen (Irish), some of whom wore high heads, who were in a plot to overturn the Government by putting Governor King to death and confining Gov'r Hunter ; that P—— M—— wished, as an old acquaintance, to put the witness on his guard to save himself ; that many of the soldiers would be ready to join and take the guns to South Head and other places of security ; that they intended

King's evidence.

King to be put to death, and Hunter confined.

1800

4 Sept.

to live upon the farms of the settlers until they heard from Francis whither the insurgents meant to dispatch a ship; that this revolt would take place very soon, as they were well provided with plenty of pikes; that P—— M—— pressed this witness to allow his name to be put down in a list amongst others, but that he has no list, nor did he hear of any names thereto; that the witness refused to have his name set down.

Enrolling adherents.

R—— G——, sworn, voluntarily declared that about fortnight since, M—— C—— accosted him at Sydney, saying "Have you heard the ditty?" that this exam't replied he has altho' he knew not what M—— C—— meant at the time but was wishing to be informed of it; that M—— C—— then asked his opinion of it; that he said he did not know, nor could he give an opinion until he knew what footing it was upon; that M—— C—— then said matters were now brought to such pitch that joining the business could not be avoided; that the people at the settlement—the Hawkesbury and Parramatta—we

The plan of action.

all to join and meet at Parramatta; that the plan was to take Parramatta first, then before daylight to come to Sydney and take the barracks there; exam't then asked M—— C—— how that could be done as they had no arms; that M—— C—— replied they had pikes made at Parramatta, and that they would take the settlers' arms with those also of the soldiers, and the ammunition; he then asked M—— C—— what number of men were in the plot, who told him he did not know, but that two men were to go from Sydney to Parramatta in order to get a return of their numbers; on being asked if the settlers were to join them, M—— C—— replied that they were crabbed at their wives being struck off the store that they were certain to join them; further saith that P—— C—— (smith) told him some pikes had been concealed at Kelly's farm of which only five persons knew, but that on a supposed suspicion of the plot being discovered they had been removed; further said that P—— C—— and M—— C——, men belonging to two settlers at the Hawk's, came to Sydney to give information of the numbers ready to join in the plot; that he heard them tell M—— C—— they would have the names of their numbers ready to deliver M—— B—— and M—— S—— on their going to Parramatta from Sydney that this exam't on asking M—— C—— when the plot was to take place, M—— C—— told him it was not to be made known until the night before they meant to put it into effect declares and believes that said P—— C—— and M—— C—— were principal ringleaders in the plot with M—— C—— that the conversation before related was on the Saturday before the last, and passed amongst all the parties without reserve before this exam't at the house of M—— S—— in Sydney; that

Disaffected settlers.

The ringleaders.

Sunday last he saw F—— C—— in company with M—— B——, M—— S——, and P—— C——, in the house of one M—— B—— at Parramatta, who was also present with this exam't; that P—— C——, M—— S——, and M—— B—— were seated together, and F—— C—— between them, in anxious converse, and F—— C—— appeared to this exam't to be writing; further declares that M—— B——, if questioned, wo'd give evidence on this business; adds that M—— C—— told him a soldier at Sydney was put up to the plot, but would not name him; further saith that said M—— S——, in company with R—— B——, did go up to Parramatta on Saturday last, and that this exam't saw them both there on the Sunday; that he asked them if they had settled the business they came upon, who answered it was not to be settled till after prayers; that they all went to church, after which some doubts of alarm arising that the plot was suspected, they saw no more of each other.

1800

4 Sept.

Arranging the details.

A soldier in the secret.

R—— G—— committed.

P—— C——, of Parramatta, smith, called in, denies any knowledge of the designs of the insurgents, or having any communication with any of the Irish convicts.

Convicts under examination.

Committed.

M—— C——, interrogated, totally denies any knowledge of the business.

Committed.

W—— H——, interrogated, denies any knowledge of any circumstance whatever.

Committed.

J—— W——, a nailer or smith, interrogated, but would make no confession or give any testimony whatever.

Committed for further examination.

Warrants issued to apprehend P—— M'K——, J—— C——, M—— C——, M—— B——, F—— C——.

Warrants issued.

At 3 o'clock adjourned.

Saturday morning, 6th Sept'r.—At 10 the meeting assembled.

M—— B——, of Parramatta, wire-worker (Irish convict), acknowledges to be well acquainted with M—— S——, F—— C——, and R—— B——, and also with R—— G——, all of whom were at his house at Parramatta, and were entertained by him; denies any writing took place whilst he was in the house with them; that he hath heard of pikes being made, in general conversation; and that since P—— C—— was apprehended he hath heard said P—— C—— made said pikes.

A wire-worker's evidence.

F—— C—— saith he lives at the Ponds with one Summers, whose child or children he teaches to read, &c.; after much interrogation, acknowledges to have been at Parramatta Saturday and

An unwilling witness.

- 1900** Sunday last; on the morning of Sunday, says he was at the house of M—— B——, when he saw R—— B——; that
 4 Sept. M—— S—— and J—— C—— were standing at the door; says he was at church at Parramatta on Sunday.
- His evasive answers. The whole of this man's testimony was evasive, equivocal, and jesuitical; he acknowledged to have heard of the alarm of revolt, and for the first time on Sunday last, when he left church.
- A meeting at Parramatta. J—— C——, an Irish convict, residing with Pearce, a settler, at the Swan Hills,* says he went to Parram'a on Saturday last for the purpose of paying some wheat to M—— B——, which he accordingly did; that on Sunday morn about 12 he went to said M—— B——, and there saw F—— C——, R—— B——, and M—— S——; that about three weeks ago he came to Sydney to see Cox; that he slept at the hut with M—— S——; that he does not know where M—— C—— quartered himself; that on the next day (Sunday) returned with M—— C—— home again; that he knows Silk of Parramatta, and called there on Sunday last to enquire after an acquaintance.
- A constable's evidence. John Hudson, one of the constables of Parram'a, to whom the Provost-Marshal delivered a warr't ag'st F—— C——, in order to bring him before this meeting, saith that after some difficulty he met F—— C—— in company with several others at Brush farm of Mr. Cox's†; that he was alarmed at the number of persons, most of whom appeared drunk, and was apprehensive that a rescue might take place; that one Joseph Holt,‡ who was amongst the party, and who was an overseer of Mr. Cox's, seemed to have an influence upon them, and F—— C—— was given over to the custody of Hudson; that F—— C—— declared he w'd not have gone with any other constable after the hour of 8 yester ev'ing.
- A convict's evidence. M—— C—— saith he is resident with Griffiths, a settler, and came about a month ago to Sydney, with a pass from his master, to see Wm. Conroy; that he returned the next day after hav'g passed the night with one Reame.
- A convict by the Minerva. P—— M—— saith that he came prisoner in the Minerva§; on landing was sent to Toongabbee, from whence he was taken into Mr. Cummings|| service at Parram'a, where he hath since

* *Quere*, an error of copyist for "Seven Hills."

† William Cox, originally ensign in the 68th (Durham) Foot (Macarthur's old regiment). He was appointed lieutenant in the New South Wales Corps 28th September, 1797; paymaster 28th September, 1798, and came out in the *Minerva*, on board which were Joseph Holt, the rebel leader, and a number of other rebels from Ireland, who were alleged to have been concerned in the two attempts made in the year 1800 to overthrow the Government of the colony. Brush Farm was situated in the south-western part of what is now the parish of Hunter's Hill, and adjoined the farm of the Rev. Richard Johnson.

‡ Joseph Holt, the Irish rebel leader. He mentions the circumstance of this attempted rebellion in his "Memoirs," published in 1838. He was arrested, but acquitted.

§ This was the vessel in which Joseph Holt, the rebel leader, and a number of other insurgents from Ireland, who were charged with being the ringleaders in this rebellion, were sent out.

|| A Lieutenant in the New South Wales Corps.

continued; that Sunday week he was coming from Prospect to Parram'a, and was met in the street there by R—— G——, who asked him if he knew of the new things that were going on; that he answered "No, I do not"; that R—— G—— replied, "Well, altho' you are a robber, you are a man I can depend on, and I shall want you at the wharfe, soon as you have delivered the milk at your master's"; that they went to the wharfe together, where R—— G—— asked him if he was ready to join with those who were ready to take ye colony, and leave behind those who were not to be trusted with the plan; that those who were ready w'd leave the colony by the present ships, or by others that would come; that he asked R—— G—— who were the supporters of the plot, and who were to carry it on; that R—— G—— said he did not know the time when it was to take place, nor who the persons where, but believed them to be John Boston and Maurice Margerot*; that he asked if oaths were tendered, and was answered no, because no person was to be trusted but who had been tried before, and whom they knew to be true; that the exam't then said he would join them; that R—— G—— then informed him how he was to know the party by a sign, which was by placing the forefinger of the left hand in the palm of the right, and closing the same; that if this sign was understood, it w'd be acknowledged by the party challenged clasping two forefingers of the right in the left hand; that in case of no signal by fingers, then the accost was to be, "What news?" which was to be answered by, "A ship coming," then, "What ship?" answer, "A store ship"; that another signal was, "Are all friends there?" answer, "Yes, till death." The better to explain this plan, R—— G—— informed this exam't that every person concerned was to find and provide ten men to join in the conspiracy; that none were to be accepted but such as were known to be staunch; that the man who was made was not to let any person know *who* made him, but was to engage ten men himself upon the same principle of secrecy; that the return of the numbers thus raised was to be given to M—— B——, of Parram'a, who sho'd deliver the particulars to the *proper* person they had put at the head to lead them; that R—— G—— said Joseph Holt† was to be their general; that on asking what numbers were expected to be raised, R—— G—— replied they had about 300 at Parramatta ready; saith *he* (the exam't) made or enlisted two persons, P—— A—— and J—— McN——, the latter saying if he did not like it he could leave it, as there was no oath to be taken; that he offered the signal to T—— B——, employed at

1800

4 Sept.

A man to be depended on.

Ringleaders.

The signal.

Each man to find ten adherents.

Holt to be General.

* Maurice Margerot was one of the Scotch martyrs. Captain Johnstone described him as the "most audacious in the colony."—*Holt's Memoirs*, vol. ii, p. 73. John Boston came out with the Scotch martyrs under arrangement with the Government to establish a fish-curing industry.

† Holt in his "Memoirs" denies any knowledge of this conspiracy.

- 1800 Parramatta with Government stock, who answered it; saith that after Divine Service at Parram'a on Sunday evening last he met with F—— C——, to whom he gave the signal, but F—— C—— did not return the answer in form, but immediately asked this exam't if he had met M—— S—— and R—— B—— on the Sydney road; that he answered yes, and they entered into conversation; F—— C—— asked this exam't if all were friends in his part of the country; exam't replied he believed there were both friends and foes, not wishing to give a direct answer as F—— C—— had not answered his first sign; that F—— C—— further asked this exam't if R—— B—— and M—— S—— did not appear alarmed when he met them on the road, giving as a reason for asking him that the Rev'd Mr. Marsden had rec'd a letter in church, and that Marsden and Atkins had gone in consequence to Gov'r King, and that he (F—— C——) feared some discovery had taken place, and believed that one R—— G—— had communicated some information of the plot to Mr. Cox.
- Rumours of discovery. Giving the signal. Further saith that he gave the signal to one O'Hara at Sydney, and asked him what he thought of it; also the like signal to E—— D—— servant to Boston, who returned it and blamed this exam't for making O'Hara acquainted with it, as by that means Boston would be informed of the plot, and the whole would be discovered; that O'Hara much condemned this exam't, saying he would get himself and others hanged if he went on in this way, and at same time desired him to go home and mind his work; R—— G—— told him they were to be furnished with pikes and arms in the same secret manner they had received the signal, and to be ready for attack, of which they would have timely notice, to commence at Parramatta and proceed to Sydney; that those who resisted their attack were to be put to death, and the others made prisoners of.
- Pikes and arms. Evidence of a freeman. Patrick Kennedy (freeman), of Mr. Cox's farm, sworn, saith he was at work with one Holt (his fellow-servant)* planting trees some time in August last; that he applied to his master, Mr. Cox, for a passage home, and on acquainting Holt therewith, Holt said he had better have applied to him (Holt) than to Mr. Cox; that the witness made light of Holt's conversation, and replied, "Well, I can't be at a loss for a passage when I have both the captain and the general on my side"; that Holt continued that he would rather than £20 not know the day of the month when the soldiers were to receive their pay; that he wished to know whether it was

* Holt, although sent out, was not in the same circumstances as the ordinary convict. He was allowed complete liberty so long as he did not leave the colony, and occupied a position of trust as Captain Cox's manager and superintendent of his farm. He was described by one who knew him in the colony, as "a fine, handsome gentleman, both in appearance and demeanour." * * * "Very finely dressed in a new blue coat, with a black velvet collar, like a gentleman should be—which he was, every inch of him—he sat with dignity in the stern sheets."—*The Life of Captain Eastwick, Adventure Series*, p. 190.

on a Thursday or a Friday; that Holt asked the witness if he thought there was a great deal of money in the country; that he answered that he thought there was; that he (the witness) told Holt he was a very foolish man, and if the general knew what he said they would hang him; that he replied, "Very likely they would"; that he continued, saying, "Kennedy, I believe you are a very staunch man"; that witness replied they were strangers to each other, and could not tell what they were.

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4 Sept.

He implicates Holt.

That a fortnight since the witness ment'd the above conversation to Dogherty; that he hath often been in company with Holt when drinking inflammatory and seditious toasts—"Success to the Croppies," and other improper expressions, were made use of by Holt; that he asked the witness if there was a rising of the Irish, if he would not join them; that he made no reply; that Holt then said, "You are an Irishman, Kennedy, and we will all go home in one ship together"; and hath often heard Holt tell the people in the gang he superintended (Irishmen) that they were not staunch, and had no soundness in them; that on Saturday last he heard Holt's wife declare that her husband was to be at the head of the mob, and that Holt himself said if they did not take his advice it would be worse for them.

"Success to the Croppies."

Holt and the Irishmen.

That on Sunday last M—— C—— was at Mr. Cox's farm, called Canterbury*; that he saw said M—— C—— with another person who had come to see Holt; that Mr. Cox was displeased, and asked what had brought them there; that he questioned Holt (his overseer) thereon, who said they were going to George's River; that one Hayley was out in the woods, and that M—— C—— and the other person joined him, where they remained till Mr. Cox left the farm, when they returned and went into the stable with Holt, where they all remained a considerable time together.

At Cox's farm.

Patrick Kennedy discharged.

Warrants granted ag't Joseph Holt and R—— G——.

At half-past 3 the meeting adjourned.

Sunday, noon, 12 o'clock, 7th Sept'r, 1800.—The meeting assembled.

Joseph Holt, together with R—— G—— apprehended.

Holt, on his exam'n, saith he is a Protestant; positively declares he has no intimacy among the Irish convicts; acknowledges that on Tuesday last he was on bus's with Mr. Cox at Canterbury Farm, when M—— C—— and another person whom he knows not called on him; that Mr. Cox reproved him (Holt) for having such acquaintance; that he (Holt) went into the stable with M—— C—— and the o'r person (supposed R—— B——), when M—— C—— said they were gloriously going on; that he prefaced

Evidence of Joseph Holt.

* This was the farm which originally belonged to the Rev. Richard Johnson, and on which the first oranges were grown. It adjoined Brush Farm.

1800 his discourse with observing that there had like to have
 4 Sept. a terrible bus's at Parramatta from information given, but, t
 An attempt to persuade him to join. that said M—— C—— continued: "I have been
 there on bus's to-day"; that he (Holt) asked what business;
 said M—— C—— replied, "Why, I have been sent
 to know if you would head the men"; that he (Holt) answered
 "Surely, my God, does not every one know where I live, and
 minute is enough for me"; that he made this reply to find
 the bus's of the plot, and desired said M—— C——
 take care what he was about as he never would be able to do
 anything; that said M—— C—— replied it could easily
 done; that M—— C—— said he would come again
 Holt's reply. inform him further; that he (Holt) told him not to come a
 with a piece of a story; that M—— C—— replied he was
 bringing him the returns, and he (Holt) saw no more of him (M—
 C——) since.
 R—— G—— saith he has been told by F—— C——
 that the United Irishmen would rise and take the colony;
 Passing the signal. he asked him (R—— G——) if he was a friend; that
 answered he was; that F—— C—— said he was not, a
 had not answered the question properly; that F—— C——
 said his answer should have been "A friend till death";
 F—— C—— then gave the signs and tokens by telling
 "A ship in sight"—"What ship?"—"A store ship"; that a
 wards he explained the silent tokens by fingers and hands;
 Details of the plot. F—— C—— further told him their plan was to take ei
 Parram'a or Sydney first, by rushing in upon it; that they
 to seize the officers of the colony, and secure the shipping in
 Cove; to make off in the Buffalo, the captain of whom they
 to seize on shore and force him to give orders to his lieut't to
 up the ship to them; that this day week said R—— G——
 called in at the house of M—— B——, where he saw F——
 C——, M—— S——, and R—— B—— all at din
 A meeting of the conspirators. that he staid there about a quarter of an hour; that another
 when he called on M—— B—— he saw M—— H——
 bring in a large iron hinge and throw it down upon a table;
 he was not informed who was to head them; that F—— C——
 told him it would not be known until the last day, when their
 signs and tokens were to be given by way of mustering them toget
 that they were to be armed with pikes and great big sticks;
 the pikes were the same form as those made in Ireland; that
 hut-keeper, an elderly man with black hair at Parramatta, w
 name he says he knows not, told said R—— G—— a nur
 of the pikes were already made and secreted at Pearce's Farm
 also at Sydney; further says he asked M—— S—— wha
 thought of the business, who answered he could not tell wha

think of it ; that F—— C—— said there would be no swearing that there might be no hold taken of one another. 1800
4 Sept.

At half past 2 adjourned.

At 11, Sept'r 12th, the meeting assembled.

Two Irish convicts, apprehended through the instance of James Harold (Catholic priest), were separately examined, but no circumstance of any degree criminal appeared against them. On the contrary, they both seemed wholly ignorant of any matters imputed to them in Harold's impeachment respecting pikes, and the accusation was deemed malevolent and groundless against both. A bogus charge.

Here the examinations closed.

THE SENSE OF THE MEETING.

AFTER mature deliberation on the several and respective testimonies that have appeared before us, we are of opinion clearly that various unwarrantable consultations and seditious meetings have been assembled by several of the disaffected Irish convicts, tending to excite a spirit of discontent which was fast ripening to a serious revolt, and consequences the most dreadful, and which we doubt not will fully appear to your Excellency on perusing the preceding minutes. We further declare ourselves of opinion that the several offenders, namely, M—— C——, F—— C——, R—— B——, M—— S——, and M—— B——, together with James Harold (call'd Priest), have severally and respectively been particularly active in concerting the horrible plan of the projected insurrection. There are also others now in confinement and many yet at large who are deeply implicated, altho' charges have not been proven against them, and the latter not brought to justice. They are nevertheless, in our opinions, delinquents of the most dangerous principles and character, and ought indiscriminately to be extirpated or removed from this part of the country, and their present numerous associates, to some distant and remote place, where the baneful influence of their example cannot be experienced. Of which number selected are Joseph Holt,* R—— G——, W—— F——, P—— A——, — K——, — G——, — M——, E—— D——, J—— B—— (formerly servant to Col. Paterson), — M——, H—— B——, and — F——, a shoemaker. Opinion of the officers. The conspirators. Others implicated, to be sent away.

* Holt was acquitted. He states that the Governor gave him a farm as proof that he believed in his innocence.—*Memoirs of Joseph Holt*, vol. 2, pp. 101-126.

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4 Sept.
500 lashes.

Further, we are of opinion and recommend that the corporal punishment of five hundred lashes be inflicted on each of the bare backs of the following notorious offenders with a cat-o'-nine tails:—

M—— C——,
F—— C——,
R—— B——,
M—— S——,
M—— B——,

Others to be removed.

who, with James Harold (priest), and Joseph Holt, with the abovenamed R—— G——, W—— F——, J—— K——, and — F—— (shoemaker) be severally and respectively sent to a distant and remote part of the territory by the most speedy conveyance farther to prevent the iniquitous tendency of their diabolical schemes being disseminated amongst other ignorant and deluded convicts.

A public example.

This meeting moreover recommends that the said due correction and corporal punishment be inflicted on a public day at the public stores, where the said James Harold be also publicly brought in person as a culprit, and ordered to attend and bear witness of the said several sentences being severely carried into execution, as a peculiar mark of infamy and disgrace the said James Harold has ignominiously stamped his conduct withal.

100 lashes.

R—— G——, W—— F——, J—— K——, and — F—— (shoemaker), we are of opinion, should receive one hundred lashes each, the two latter at Parramatta, and that the whole of the abovenamed banditti be securely imprisoned until they can be severally disposed of and sent away.

An offer of pardon.

And we further submit to your Excellency the propriety of offering a forgiveness to any person or persons who may voluntarily come forward and acknowledge their having been unwarily or incautiously concerned in so nefarious a plot, expressing their contrition for the same, within fourteen days from the said proclamation.

Well aware that your Excellency will adopt every essential measure to secure the public peace, tranquility, and welfare of this territory, we close our deliberations hereupon and decline further troubling your Excellency upon this occasion.

RICHARD DORE, Judge-Advocate.
W. PATERSON,
W. BALMAIN,
N. MACKELLAR,
ED. ABBOTT.

At two o'clock the meeting broke up and dissolved.

MEASURES FOR PRESERVING TRANQUILITY.

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GOVERNMENT AND GENERAL ORDER.

1800

6th September, 1800.

6 Sept.

In consequence of the alarms excited amongst the peaceable inhabitants of this colony by the information which has been received of improper designs being not only in agitation, but in some degree of forwardness, amongst the people lately arrived in this colony and some few others; and these turbulent appearances are not wholly the act or wish of those deluded people, but that they are instigated thereto by those who ought to have shown more gratitude for benefits they enjoy.

Fomenting a rebellion.

To preserve the tranquility of every description of His Majesty's subjects, the Governor has decided that Lieutenant-Governor King do assemble the civil officers and such housekeepers who are free men, possessing property and good characters in the town of Sydney, at 4 o'clock this afternoon, and to chuse from amongst them fifty men capable of bearing arms, to be commanded by the officers of the Civil Department, and to be distributed as the Governor, in communication with Lieutenant-Colonel Paterson, may see fit, for the effectual preservation of public and private property, and of the peace of this colony. The same regulation will take place at Parramatta.*

Arming civilians at Sydney

and Parramatta.

This, and the perfect reliance the Governor has on the loyal exertions of His Majesty's officers and soldiers and of every peaceable inhabitant, not excepting those who, from the artful advice of a few designing incendiaries, may have for a moment forgot their own interest and welfare, gives His Excellency the most confident assurance that the happiest effects will result from the precautions which the preservation of the public tranquility renders necessary.

Hunter confident of loyalty.

No prisoner or free man (who is not a settler) is to leave the place where he is stationed or resides without a pass from the nearest magistrate, who is hereby directed to inquire particularly into the nature of the person's business before he grants such pass, and this pass is to be shown to the magistrate in the place they are going to. Any free man offending herein will, on conviction,

Passports.

* This enrolment of civil officers, householders and propertied civilians, was one of Governor Hunter's last administrative acts. It is remarkable that the volunteer movement had its birth so early in the history of the colony. The body was known as the Loyal Association, the Sydney division being commanded by Surgeon Balmain, and the Parramatta one by Richard Atkins. As a further precaution against a surprise the labouring convicts were taken from the fields and public buildings and employed in erecting a palisade round the military barracks, and on other works of a defensive character.

On Sunday, 28th December, 1800, Governor King announced in General Orders (post, p. 276) that in case of alarm the members of the Volunteer Association were to immediately repair to, and form in front of, Government House, and there await the Governor's orders. Civil officers, such as constables, superintendents, &c., and civilians not members of the Loyal Association, were to "repair with what offensive weapons they can immediately collect to the highest wind-mill hill, and there wait for orders how to act." Every other description of person, male as well as female, were to remain within doors, "as it will be impossible for the military to discriminate persons in case of alarm."

1800 be sentenced to three months' hard labour for the Crown ; and, if
6 Sept. a convict, will receive a severe corporal punishment of fifty lashes which the magistrate before whom he is brought will direct to be inflicted on having sufficient proof of their being without the necessary pass.
JNO. HUNTER.

GOVERNMENT AND GENERAL ORDER.

7 Sept.
 The Bench
 of magis-
 trates.

7th September, 1800.

MR. JAMES THOMPSON, Acting Principal Surgeon to the territory, being sworn in as a magistrate for the county of Cumberland, as such is to be respected and supported.

The Acting Magistrates at Sydney are the Acting Governor, the Judge-Advocate, John Harris, Neil Mackellar, and James Thompson, Esquires.

It is expected that the officers, civil and military, will attend at ten o'clock on the morning after his arrival at headquarters, or at any of the other settlements where he may visit, when the officers in command will deliver returns of the regiment or detachment they command.
JNO. HUNTER.

GOVERNMENT AND GENERAL ORDER.

7th September, 1800.

The
 volunteers.

THE Loyal Sydney and Parramatta Associations, commanded by the undermentioned officers, are to be subject to the following regulations until a more regular system can be fixed upon, viz:—

Officers.

1. That as they are embodied for the purpose of assisting the civil power and His Majesty's troops occasionally in the preservation of good order and of public and private property, they are not to expect pay for the voluntary offer of their services.

Arms.

2. The captains and lieutenants will be provided with provincial commissions, but are not to expect any pay.

3. Each man is to be provided with firearms and a proper proportion of ammunition ; the arms are to be lodged in a chest kept for that purpose in the officers' room at the main guard.

4. The commanding officer will so regulate the companies that they may be ready at a moment's notice to repair to the main guard for their arms and assemble in front of Government House, where they will wait for orders.

Drill.

5. As it is necessary that the companies should be exercised until they are perfect in the use of fire-arms, Serjeants Jamieson and Fleming, of the New South Wales Corps, will attend at Sydney, and Serjeant M'Mullen at Parramatta, on Wednesdays and Saturdays, from four until half-past five o'clock in the afternoon

of those days until perfect, when they will be exercised only once in the month. Further regulations for the discipline of the Association will be prepared hereafter. 1800 7 Sept.

Officers commanding companies :—Sydney Loyal Associated Company : William Balmain, Esq. ; Parramatta do. : Richard Atkins, Esq. Commanders.

JNO. HUNTER.

CAPTAIN WATERHOUSE TO SECRETARY NEPEAN.

H.M. Ship Reliance, Spithead,

Sir, 9th September, 1800. 9 Sept.

My present very weak and debilitated state, with the prospect of a relapse, has occasion'd the surgeon to recommend my getting every further medical assistance in my power, having already experienc'd two slight parralytic strokes. Captain Waterhouse.

I have to beg you will acquaint the Lords Commissioners of the Admiralty to grant me leave of absence for the purpose of procuring further medical assistance.

I have, &c.,

H. WATERHOUSE

LIEUTENANT-GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord, Sydney, 9th September, 1800.

The necessity of some immediate steps being taken to save the youth of this colony from the destructive examples of their abandoned parents, and others who they unavoidably associate with, for want of an asylum to draw them from those examples, and from the assurances I have of the success and benefit that has attended an institution of that kind I formed some years ago at Norfolk Island, I have requested the persons named in the enclosure to act as a committee for conducting the necessary establishment, and have the honor to enclose their proceedings as far as they have gone. Necessity for an orphan-age.

I am sorry it has not been in my power to give it the instant effect it requires by any other means than that of making a conditional purchase of Captain Kent's house and grounds, in Sydney,* for that purpose, and for which I beg to assure your Grace that I had no other motive than the urgent necessity of some steps being immediately taken with the youth of this colony, who, for the most part, are of that age when instruction and example, either good or bad, have their full force ; and on those considerations, I humbly submit the propriety of that purchase being allowed of. A house purchased.

An extensive and appropriate building is also commencing at Parramatta for the same purpose (as the house at Sydney will be erected at Parramatta. A larger building to be erected at Parramatta.

* Captain Kent's house was purchased for £1,539 17s. 3d., ante, pp. 87, 88. It was described as the best house then in Sydney.

1800 not hold more than one hundred children), which will be built from the funds now in the hands of the committee. From such donations as may be received, and a regulated duty on the entrance and clearance of vessels landing articles for sale, privilege of watering at a convenient place for shipping, issuing blank forms for promissory notes of payment among the inhabitants, these, with several other regulations of the same kind, and the appropriation of the quit rents, fines, and penalties to the sole use of erecting and maintaining those houses, I hope, will enable myself and the committee to carry our designs into execution with the happiest effect, and without any further expence to the public.

9 Sept.

Purchase of
Hunter's,
Foveaux's,
and Kent's
stock.

Governor Hunter, Major Foveaux (of the New South Wales Corps), and Captain Kent, commander of the Buffalo, leaving this colony, having applied to me to purchase their private stock of cattle on the part of Government, I consented to their being received into Government herds, and gave them conditional bills for the amount, subject to your Grace's approbation or rejection, as expressed in the bills, letters of advice, and the vouchers. My reasons for entering into this transaction I beg to submit to your Grace's consideration :—

Reasons for
making the
purchase.

1st. To prevent the colony being deprived of such a proportion of breeding stock, as those gentlemen would have been obliged to kill them for sale, by which they would have got upwards of £80 per head, whereas Government receives them at £37, the price that my Lord's Commissioners of His Majesty's Treasury agreed to pay the last importer, Mr. Hogan.

2nd. The necessity there appears of drawing some subsistence from the Government stock of cattle for those necessarily maintained by the Crown.

Advantages
of purchas-
ing locally.

3rd. The advantage of purchasing these cattle on the spot, in preference to sending for them from the Cape, as numbers that have been sent for have died soon after they were landed, exclusive of the bad state they have generally been in when they arrived.

Allowances
to watch-
men.

As Governor Hunter is desirous of disposing of the remains of his private stock of spirits and wines to Government in preference to individuals, I have directed the Acting Commissary to receive the quantity expressed in the vouchers, for which I have given him a bill on His Majesty's Treasury. In this place, it is necessary I should inform your Grace that it has been the custom to give the watchman, and other persons in places of confidence, an allowance of spirits or wine, as stated in the enclosure.* As this regulation was made by Governor Hunter, and as it has been attended with some convenience to the public service, I shall continue it unless otherwise directed.

* Not available.

I have the honor to enclose my unsealed letter to the Secretaries of His Majesty's Treasury, containing the vouchers for these proposed payments, which I humbly submit to your Grace's inspection, and have the honor to be, &c.,

PHILIP GIDLEY KING.

1800

9 Sept.

[Enclosure No. 1.]

LIEUTENANT-GOVERNOR KING TO THE REV'D RICHARD JOHNSON
AND OTHERS.

Gentlemen and Ladies, Sydney, 7th August, 1800.

Soon after my arrival in this colony I had frequent opportunities of observing the numerous children of both sexes going about the streets in a most neglected manner. This observation was confirmed by the many distressing relations made to me of the early abuses the female part suffered, not only from the unprotected state they were in, but also from the abandoned examples of their parents, and those to whose care the orphans are committed. These circumstances, joined to the success of the asylum I formed at Norfolk Island for the care of female orphans, induced me to turn my attention as early as possible towards commencing a similar institution here for the purpose of withdrawing those real objects of charity and benevolence from the destructive connexions and examples of their dissolute parents in whom no reform can be expected, whatever good success may attend our endeavours to protect and instil proper notions in the minds of the younger part; altho' I am well aware that even among the oldest of them there will be much to eradicate. On the persuasion of the great utility of such an establishment to society at large, and this colony in particular, I have made a conditional purchase of Captain Kent's dwelling-house, offices, and ground in this town (provided the reasons I have assigned may be approved of by His Majesty's Government at Home) for the reception and education of part of the orphans, the number of whom, and of other real objects for such an institution, I am sorry to say, are 398 out of the 958 children accounted for at the general muster.

Children on the streets.

Orphan asylum at Norfolk Island.

King proposes to establish an orphanage.

I am informed by the Reverend Mr. Johnston that a sum of money and some property arising from former subscriptions for the use of the orphans, and fines, remain in his hands, which that gentleman (who is returning to England) will deliver to the Reverend Mr. Marsden, who I have requested to act as treasurer to the establishment I am forming. But previous to that or any other business being transacted, it appears advisable and necessary that a Committee for the direction and management thereof should be named; and as I have reason to count on your zeal in furthering what concerns the public welfare, I have to request your advice and assistance as a committee for the management and direction of the Orphan Houses in this territory, under the controll of the Governor or Lieutenant-Governor for the time being.

Subscriptions in hand

Nominating a committee.

- 1800
9 Sept. It therefore becomes necessary I should request you to meet me at the Orphan House on my return from Paramatta; and in the meantime I beg to submit the following objects to your previous consideration.
- Size of premises. The present size of this house will not admit of more than 100 children; but it is my intention to make an addition to the back of it which will allow of a greater number being received into it. Plank for bedsteads is now sawing, to be paid for out of the money in hand.
- Regulations to be drawn up. Such regulations and alterations as the committee may suggest for the reception and distribution of the children in the house will become the subject of their consideration, as well as the persons who are to have the internal management of it.
- A house to be built at Parramatta. As this house will not hold more than 100 children, the Reverend Mr. Marsden is contracting for materials to build another house at Paramatta, out of the funds for this establishment, and such assistance as may be otherways obtained, which is intended to contain about 200 children. This will also become an object for the committee's regulation; and I have to request the advice of the ladies and gentlemen on any point they may judge conducive to the success of this undertaking, in which the future welfare of this colony is so materially concerned.
- Correspondence with Johnston and Hunter. I have written to the Reverend Mr. Johnston to make up his accounts and lay them before the committee previous to his making over any money or property he may have in his charge to the Reverend Mr. Marsden; and also to Governor Hunter, to request he will direct the proper person to inform the committee of any fines, applicable to the orphans, that are not yet paid.
- I have, &c.,
PHILIP GIDLEY KING.
- The committee. The Rev'd Richard Johnston, William Balmain, Esqr., Rev'd Samuel Marsden, John Harris, Esqr., Mrs. King, Mrs. Paterson requested to act as a Committee, or any three of them, for managing and directing the Orphan Houses in this territory, under the controul of the Governor or Lieutenant-Governor for the time being.
- [Enclosure No. 2.]
- PROCEEDINGS of a Committee formed of the following persons:—
Rev'd. Richard Johnston, William Balmain, Esq're, Rev'd Samuel Marsden, Mr. John Harris, Mrs. King, Mrs. Paterson.
- First meeting of the committee. THE above gentlemen and ladies being met the 8th day of September, by appointment of Governor King, do offer themselves as a committee for managing and directing the Orphan Houses in this colony, under the controul of the Governor-in-Chief or Lieutenant Governor for the time being.

Ordered,—That the Rev'd Richard Johnson, late treasurer, 1800
about to return to England, do submit his account of monies 9 Sept.
received by him for the Orphan School to the committee.

The Rev'd Richard Johnson's account produced to the com- Moneys in hand.
mittee, and on examination there appears to be a balance as
follows:—Balance due the Orphan School, £114 16s. 0d. Articles Cash and goods.
in Mr. Johnson's possession purchased by cash appropriated for
the use of the Orphan School:—Nine pieces of chintz; two shawls;
two pieces of white callico; three pieces of red gurrah; one piece
of print (35½ yards); six pieces of gingham; two leggers of
brandy containing 304 gallons, in the public stores; due by cash,
but for the use of the public gaol, to be paid by Mr. Balmain,
£200 10s. 9d.

The committee requests the Rev'd Samuel Marsden to take Marsden to be Treasurer.
upon him the office of treasurer to this and every other fund that
may be established in this colony under the management of the
committee.*

Ordered,—That the thanks of the committee be given to the Johnson's efforts.
Rev'd Richard Johnson for his attention and assiduity in the
concerns of the orphans in this colony, whose situation that
gentleman is so well acquainted with that he is requested by
Governor King and the committee to use such means as may
appear proper to him, and as opportunities may admit of, to
solicit the charitable donations of those who may be induced to
second the designs of the committee in rescuing 958 children
from the future misery to be expected from the horrible examples
that they hourly witness from their parents and those they live
with, to withdraw them from whom the Rev'd Samuel Marsden
is now contracting for the building of a spacious house for their A building at Parramatta.
reception at Parramatta, in addition to the house conditionally
purchased from Capt'n Kent at Sydney.

Resolved,—That a subscription be immediately opened for Subscriptions.
receiving the charitable donations of each person that may be
disposed in this colony to countenance this institution.

The committee adjourned till 15th Sept'r, 1800.

[Enclosure No. 3.]

ORPHAN HOUSE COMMITTEE.

15th September, 1800

The Committee met according to adjournment.

The Treasurer informs the sum of one hundred and ninety-six £196 for Orphanage.
pounds has been subscribed since the last meeting, of which he
has received the sum of sixty pounds eighteen shillings and six-
pence, and Willm. Balmain, Esq're, delivers to the Treasurer the

* This part of the proceedings is endorsed by the Revd. Samuel Marsden, "Received from the Committee the sum of £114 16s., together with the above articles.—SAMUEL MARSDEN."

- 1800
9 Sept. sum of two hundred pounds ten shillings and ninepence, being cash lent from the former Orphan Fund for the use of the public jail, as appears by the proceedings of last committee, and the Jail Committee Book, also five pounds five shillings paid for a license, making the total receipt up to this time the sum of £517 1s. 9d., exclusive of the articles in the first page.
- Orders of Committee. Ordered, That Mr. Moore, master carpenter, be desired to give in an estimate of the quantity of plank and scantling necessary for fifty bed cradles, to hold two children each (at Capt'n Kent's house, in Sydney), being 5 feet long, and 3 feet in the clear.
- Ordered, That the Rev'd Mr. Marsden do direct a proper person to make an estimate of the expence, under separate heads, that will attend the building a house at Parramatta, agreeable to the plan given in by Mr. Barrallier, exclusive of out-houses and other offices.
- The Committee adjourned till Friday next, at ten o'clock.

CAPTAIN DAVID COLLINS TO UNDER SECRETARY SULLIVAN.

- 10 Sept. Sir, Beaumont-street, 10th September, 1800.
- I beg to submit the following proposition to your consideration and opinion, whether it may be proper to communicate it to Lord Hobart :—
- Collins proposes to establish a Colonial Office. It cannot be unknown to you that the concerns of the colony of N. S. Wales are important and multifarious—sufficiently so, I humbly presume, as wholly to occupy the attention of one person. It appears to me, and I have long reflected on it, that it would conduce much to the advantages of the settlement, and considerably to the ease of the office whence its affairs are regulated, if a person, who should be properly qualified and competent to the business, were appointed, under you, sir, as the Under Secretary of State for the Colonies, to inspect and arrange such despatches as might be from time to time received from N. S. Wales, and to report from them condition of the colony, and what it stood in need of. He would be prepared, at any time that information respecting it should be required by Parliament, to produce a compleat body of documents authenticated from the official papers, and, by directing his attention wholly to the business of the settlement, he would be enabled to possess so minute and intimate a knowledge of its concerns that at all times he would be able to furnish a compleat view of its existing situation.
- Duties of the Under Secretary. Having thus stated what I apprehend would, as I promised, be of essential benefit to the settlement, and conducive to the ease of your office, allow me to add that, from my long residence in that colony, and acquaintance with the nature of its concerns, obtained by me in my capacity as its Judge-Advocate and Secretary to the
- Collins offers to accept the office.

Governor, I feel that were I appointed to such a situation I could greatly contribute to your ease in despatching the affairs of the settlement. 1800
10 Sept

In taking any further step in this business I shall be wholly guided by your opinion, and should I, in making this proposition, be fortunate enough to meet with your approbation, suffer me to entreat that you would honour me also with your influence, and thereby to obtain some recompense for my excessive hopes and zealous service to the State, which I may justly say have by the event proved ruinous to myself. I have, &c.,

Seeks
Sullivan's
influence.

DAVID COLLINS.

LIEUTENANT-GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord, Sydney, 10th September, 1800.

Not being yet informed of the time of Governor Hunter's departure, and being apprehensive of ships arriving with spirits, &c., for sale, I judged it necessary to request Gov'r Hunter would allow me to desire Lieut.-Col. Paterson to communicate the enclosed letter to the officers, civil and military, to which I have annexed that gentleman's answer, with the correspondence and my observations that have arisen thereon. The importation of spirits.

I have also the honor to enclose the regulations I shall publish on Gov'r Hunter's departure, to effect that part of His Majesty's instructions, together with my correspondence with a merchant from Bengal who I found settled here, all which, I hope, will be a check to the importation of such a quantity of spirits as the colony has been inundated with lately, of which the enclosed is copied from the Returns of Arrivals and Imports—all which I humbly submit to your Grace's consideration and approbation. Regulations for preventing importation.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

LIEUTENANT-GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 8th September, 1800.

I have to request you will convene a meeting of the officers, civil and military, in this colony, and communicate to them the following article of His Majesty's Instructions,* which a due regard to the character of an officer prevents me from making public; but, at the same time, it is to be understood as a public order, vizt.: A meeting of officers to be called.

"And whereas it has been humbly represented to His Majesty that the greatest evils have arisen from the unrestrained importation of spirituous liquors into this territory, as well as at Norfolk Reports to His Majesty

* There is reason to believe that these "Instructions" were framed by King himself, from verbal directions received from Under-Secretary King in England and Hunter's Instructions (see note on p. 100, ante; see also post, pp. 183, 199, 203). The paragraph King here quotes will be found in Foveaux's Instructions, ante, p. 102.

1800
10 Sept. Island, from vessels touching there, and that several officers entered into the most unwarrantable traffic with settlers and victs for the sale thereof, whereby they have been induced to buy away their breeding stock, as well as mortgaging their growing crops for the said spirits, to their particular detriment and consequent misery of their families, as well as to the injury occasioned thereby to His Majesty's service and to the public interest at large in the colonies; you are, therefore, strictly commanded to order direct that no spirits be landed from any vessel coming to Jackson or Norfolk Island without your consent for the specified quantity to be landed being previously obtained for that purpose by a written permit; and, in case you should judge it necessary to allow of that indulgence to the officers and deserving settlers for their domestic purposes alone, you are to take care that indulgence be so regulated by you as to preclude the possibility of its becoming an object of traffic, which orders you are to communicate to all captains and masters of ships immediately on their arrival, and to prohibit, by the most effectual means, any officer from disgracing His Majesty's service in future by entering into any traffic whereby that respect due to His Majesty's commission may be called in question; and you, as well as all officers of His Majesty's service under your command, are to take the most effectual measures that this article of the Royal instruction strictly complied with, under pain of His Majesty's highest displeasure"; and I have it in command that, if in future this part of His Majesty's instructions is not strictly adhered to, that offence be brought to a general court-martial, and such notice taken thereof, as the offence may deserve.

Officers dealing in spirits.
Importation to be controlled by Governor.
Instructions to be strictly attended to.
Wine for the officers.

"And I have it further in command to signify that ten pipes of port wine will be sent out annually for the use of the officers, and military, to be divided among them as the Governor shall judge proper, at such an advance on the prime cost as will cover freight and wastage."

I have to request your informing me of your having made the communications to the officers, civil and military.

I have, &c.,

PHILIP GIDLEY KIN

[Enclosure No. 2.]

LIEUTENANT-COLONEL PATERSON TO LIEUTENANT-GOVERNOR K

Sir,

Sydney, 12th September, 180

Paterson's reply.

In answer to your's of the 8th inst., requesting me "to convene a meeting of the officers, civil and military, in this colony and communicate to them the following article of His Majesty's instructions, which a due regard to the character of an officer prevents me from making public; but, at the same time, it is to be understood as a Public Order."

THE DISPOSAL OF SPIRITS.

141

Your request I have complied with, and have also communicated your letter of the 8th inst. in the same manner; and I have to add that all the officers consider that communication as a General Order from the time of your taking the command.

1800

10 Sept.

A General Order.

I have, &c.,

WM. PATERSON.

[Enclosure No. 3.]

SURGEON BALMAIN TO LIEUTENANT-GOVERNOR KING.

Sir,

Sydney, September 14th, 1800.

Having attended a meeting of the officers, civil and military, called together at the house of Lieut.-Col. Paterson, by your order, for the purpose of hearing read a part of the Royal Instructions, wherein it appears that all manner of traffic, in spirituous liquors *particularly*, is wholly and absolutely forbidden to be carried on by any person bearing His Majesty's commission in this colony, I will not presume to amuse you with any exculpatory remarks on my transactions in this way heretofore, but shall simply observe that in all such cases I have neither been the foremost nor by any means the most fortunate; but as the most respectful obedience to the orders of my superiors will ever be the invariable rule of my conduct, it becomes my duty to state to you that I have at this time a quantity of spirits in my house amounting to 1,400 gallons or upwards, a few chests of tea, and some bale goods, which I became possessed of previous to your arrival, and before His Majesty's pleasure on this head were made known to me, a single article of which I shall not attempt to dispose of without your permission and approbation, although my loss will be more than my circumstances can possibly sustain if every means of getting rid of them is utterly denied me.

Balmain attends meeting of officers.

His mercantile experiences.

1,400 gallons of spirits

I therefore take the liberty of offering them to you, on account of Government, at such an advance as may compensate for laying out of my money and cover any other incidental risque or loss; or if you are pleased to direct that I should adopt any other measure which may operate in my favor, without clashing with your orders, I will thankfully embrace it.

offered to Government.

Waiting your decision,

I have, &c.,

WILLIAM BALMAIN.

A similar letter appears to have been written by Mr. D'Arcy Wentworth, to which the following answer was given:—

[Enclosure No. 4.]

LIEUTENANT-GOVERNOR KING TO MESSRS. BALMAIN AND WENTWORTH.

Gentlemen,

Sydney, 16th September, 1800.

In answer to yours of the 14th instant, in which you so candidly and fairly state your circumstances and the property you

King in reply.

1800 have by you in spirits, &c., which you were possessed of before my
 10 Sept. arrival here, and your determination not to disobey the order
 communicated to the officers, civil and military, by my orders.

Not yet in command. As Governor Hunter does not give the command up to me
 before his departure, I consequently cannot direct any purchases
 of that kind to be made till then ; and were I disposed to take
 that measure, it is necessary I should know the rate at which you
 would resign those things you are possessed of to Government, by
 a specific statement thereof. I am, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 5.]

SURGEON BALMAIN TO LIEUTENANT-GOVERNOR KING.

Sir, Sydney, 16th September, 1800.

Permit me, in answer to yours of this day's date, to lay
 before you a statement of the property I am now possessed of.

Cost of spirits. From 900 to 1,000 gallons of spirits, cost me ten shillings the
 gallon ; 300, from 11 shillings and sixpence to 12 shillings ; and
 the remainder, 19 shillings the gallon. Tea, 10 shillings the
 pound, and piece goods from 11 pence to 4 pence the yard, India
 prime cost.

Price asked by Balmain. Twenty shillings per gallon for the spirits, and as much per lb
 for the tea, is what I propose to ask, and I trust it will not be
 deemed an extravagant demand, having a regard to the various
 risks and losses on such articles, and when it is considered that
 the market price of them in general very far exceeds my demand.
 The piece goods I shall want the greater part of for my family and
 farm uses, unless Government should particularly require them.

I have, &c.,

WILLIAM BALMAIN.

[Enclosure No. 6.]

REMARKS BY GOVERNOR KING.

D'Arcy Wentworth. MR. WENTWORTH in his answer states that 3,000 gallons of spirits
 cost him the same price as stated above, and that he is willing to
 let Government have it at the above price ; but states the heavy
 loss he has sustained by leakage and laying out of his money
 which he hopes will make the price appear reasonable, as he could
 get considerably more for it if he could have permission to sell it
 to individuals.

[Enclosure No. 7.]

LIEUTENANT-GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON

Sir, Sydney, 18th September, 1800.

I am sorry to occasion you fresh trouble respecting the
 instructions I requested you to communicate to the officers, civil
 and military, on the 12th inst. Since your making this communication
 at Sydney, I have received representations from Mr

Balmain and Wentworth.

Balmain and Mr. Wentworth, stating their embarrassment and great losses if Government will not receive the articles they purchased previous to my arrival, which, from the unexpectedness of the restrictions laid on their selling them, must be attended with heavy loss to them as individuals, at the same time signifying their determination at all events not to disobey the orders contained in these instructions.

1800
10 Sept.

Not being at liberty to give these gentlemen the price they mention on Government account for the spirits and tea, and as there is no medium between their losing the whole of their property, or subjecting themselves to very unpleasant consequences, I have, on a full consideration of their situation, consented that they may dispose of such articles alone as they purchased before my arrival here, on the following conditions, viz. :— To deliver me a specific list of the qualities and quantities of each article that remains from what they purchased before my arrival here, and which they intended for sale, particularly spirits; to sell none, without my permission and approbation of the purchaser (unless it is a commissioned officer, for his domestic purposes), and not to demand or sue for more than 20s. per gallon for the spirituous liquors, 20s. per lb. for tea, and a moderate advance on such bale goods as they may be possessed of, delivering me monthly returns of the quantities they have sold, and what remains, together with an assurance in writing that they will not enter into any future speculations or purchases contrary to the tenor of His Majesty's Instructions, when the quantities they now have is disposed of under the preceding instructions, otherwise it will become my duty to take a proper notice of it. I have to request you will communicate this permission to the officers, civil and military, when convenient, and any who are situated in a similar manner with these officers may take advantage of the same concession by an adherence to the conditions already stated.

Price of
spirits and
tea.

Conditions
of trading.

No fresh
transactions
to be
allowed.

I have, &c.,

PHILIP GIDLEY KING.

NOTE BY GOVERNOR KING.

In compliance with the above, Mr. Balmain states that he has 1,359 gallons of spirits, and 7 chests of tea.

Spirits
belonging to
Wentworth
and
Balmain.

Mr. Wentworth states he has 3,000 gallons of spirits and 10 chests of tea, which they will on no account part from on other terms than those expressly stipulated, and they further pledge themselves, on the faith of gentlemen, that they will not enter into any future speculations or purchases contrary to the tenor of the instructions communicated to them by Lieut.-Colonel Paterson.

A true copy of the originals.

PHILIP GIDLEY KING.

Sydney, September, 1800.

1800

[Enclosure No. 8.]

10 Sept.

REGULATIONS to be observed by all masters or commanders of English or foreign merchant vessels arriving in Port Jackson and by all merchants, importers, and consignees resident in His Majesty's territory of New South Wales.

Anchorage
for English
and foreign
vessels.

1st. No person but the pilot or officer authorised by the Governor is to board any ship or vessel arriving in this port until an union or ensign is hoisted at the masthead. English merchant vessels are to anchor at the entrance to Sydney Cove until permitted to go in. Foreign vessels to lie in Neutral Bay, unless allowed to go elsewhere.

2nd. A serjeant's guard will generally be sent on board to prevent any article being sent on shore until permission is given. The guard is to be as comfortably lodged as circumstances will allow of, and not be interrupted or insulted in their duty.

The disposal
of the cargo.

3rd. When the ship is secured, the commander is to report himself and ship at the Naval Officer's office and enter the ship agreeable to the form, to produce a manifest of his cargo, specifying the different articles in the vessel for sale. He is then to give bond of security in the penalty of £200 sterling not to open the vessel's hatches for the sale of any article whatever until a general permit is given for that purpose, and not to send from the ship any spirits, wine, beer, or other strong drink, after that general permission is given, without a written permit signed by the naval officer and countersigned by the Governor, specifying the qualities and quantities, with the name of each purchaser, and not to send from the vessel or to sell any arms or ammunition to any person without the Governor's permission as above, on pain of the bond being forfeited.

Duty to be
paid.

4th. Liquors, &c., thus permitted and purchased are to be landed at the Hospital Wharf (and nowhere else in this harbour), and not removed until security is given for payment of the assessments.

Penalties.

5th. And to the end that strict justice may be done to all descriptions of persons, the Governor has been pleased to direct His Majesty's Courts of Judicature in this colony that all prosecutions for a breach of the above regulations be decided and determined according to the laws in England against smuggling and the provisions of the Manifest Act. In case the obligation of the bond is forfeited, half the penalty goes to the Orphan Fund, and the other half to the persons informing, prosecuting, or suing for the same. Two-thirds of seized spirits, wine, or strong drink will be the property of the person or persons making the seizure, and one-third to a public fund; and as the King's instructions to the Governor are as pointed as they are necessary on this head, any of His Majesty's subjects resident in this colony, merchants or

masters of ships, whether English or foreign, who disobey will be prosecuted with the utmost severity of the law, and otherwise dealt with for infringing on the regulations of the colony. 1800
10 Sept.

6th. Merchants [captains] of English as well as foreign merchant vessels are to give a security of £200 (previous to their permission to trade being granted) not to take any convict or other person from this colony but by the Governor's written permission, witnessed by the Commissary; and if any convict should be discovered on board after the vessel has left this port the master is enjoined to deliver him to the commanding officer of the first English port he touches at as having absconded from hence. Stowaway
convicts.

7th. No convicts, either male or female, are to be received on board any vessel in the harbour without a pass from the Governor, officer in command, or officiating magistrate. No boats are to go on shore after dark except at the public landing-wharfs, nor to remain there after 8 o'clock, unless waiting for an officer. No seamen are to go into the country without a pass, and if found on shore after dark without such pass or permission from a magistrate they will [be] confined until the morning and otherwise dealt with as the case may require. No boat is to go up or down the harbour without a trusty person in the command of her. Passports
necessary.

8th. The watering-place on the North Shore and the adjacent grounds being granted to the trustees of the Orphan Fund, those merchant vessels that water or wood there [are] to pay for permission. Water to be
paid for.

9th. No cloathing or bedding is to be purchased from convicts. Strangers or inhabitants offending herein will be prosecuted, all such cloathing and bedding being the property of the Crown, both before and after issued from the store.

10th. If any of the natives are killed, or violence offered to their women, the offenders will be tried for their lives. Natives not
to be
molested.

11th. Persons dying on board are to be buried on shore, and no stones, gravel, ballast, or iron hoops are to be thrown overboard, below high-water mark, on the penalty of five pounds sterling for each offence—two-thirds to the informer and one-third to the Orphan Fund.

12th. No merchant vessel is to attempt leaving this port without the Naval Officer's certificate, countersigned by the Governor, or Lieut.-Governor in his absence, of the master, owner, importer, or consignee having fully complied with the preceding regulations and the bonded returns. His certificate is to be given to the Provost-Marshal or other person ordered to smock or search the vessel for deserters, who will deliver it to the master previous to his leaving the vessel, which will be communicated to the Battery at the South Head, by signal from the officer sent to search for deserters, otherwise the ship or vessel will be fired at and detained until these necessary regulations are fully complied with. Clearances.

1800 A table of the fees, assessments, &c., to which masters of ships,
10 Sept. &c., are liable is hung in the Naval Officers' and Secretary's offices.

A TABLE of Fees and Assessments to which all masters or commanders of English or foreign merchant vessels (arriving in Port Jackson) are liable, and all merchants, importers, and consignees, resident in His Majesty's territory of New South Wales.

		<i>On Entry.</i>					
Harbour dues.	If an English merchant vessel, with articles for sale, and in				£	s.	d.
	Government service ... ..	...	...	...	0	10	0
	If do., and not in Government service ... ..	...	...	...	1	1	1
	If a whaler with any articles for sale ... ..	...	...	...	0	10	0
	If do., and no articles for sale ... ..	...	...	...	0	5	0
	If a foreigner ... ..	...	...	...	1	1	0
		<i>Fees.</i>					
	On general permission to trade ... ..	...	...	...	0	5	0
	On each Bond ... ..	...	...	...	0	2	6
	Permission to water on Orphan Lands ... ..	...	...	...	0	5	0
	Permission to cut wood on do. or other Government grounds ...	...	...	...	0	5	0
	Certificate of clearance and bonds being returned ... ..	...	...	...	0	4	0
		<i>Assessments.</i>					
	On each permit to land spirits, &c. ... ..	...	...	...	0	0	6
	For every gallon of spirits permitted to be landed ... ..	...	...	...	0	1	0
	Do. do wine do do ... ..	...	...	...	0	0	6
	Do. do beer do do ... ..	...	...	...	0	0	3
	For every package, cask, box, &c., landed for sale ... ..	...	...	...	0	0	6

[Enclosure No. 9.]

MR. ROBERT CAMPBELL TO LIEUTENANT GOVERNOR KING.

Sir, Sydney, 13th June, 1800.

In consequence of your having done me honor of granting permission to state the commercial points on which I would wish to be informed previous to the Hunter's departure for India, I beg leave to suggest the same for your Excellency's consideration.

A mer-
chant's
letter.

Branch
establish-
ment of an
Indian firm

Having been authorised by Campbell, Clark, and Co., of Calcutta, to endeavour to obtain a contract for supplying this colony and Norfolk Island with necessaries, either on Government account or receive their sanction to erect warehouses for the sale of whatever merchandize might be permitted, and also how far we might derive advantages from carrying on the seal fishery on the coast and adjacent islands, I applied by several memorials after my arrival in June, 1798, to His Excellency Governor Hunter, who was pleased to refer me to His Majesty's Ministers for their approbation, and which is not yet ascertained. In the interim I became purchaser of the lease of Baughan's house* and garden, where I reside; and, during my absence, the agent that I appointed purchased another that was granted to Captain Waterhouse. The

Properties
purchased at
Sydney.

* This was the second house built by John Baughan. The original structure, with its contents, was demolished by a detachment of the New South Wales Corps. Vol. iii, pp. 15 et seq., 64, 294, 430.

intention of purchasing these, which cost the sum of £700, was to establish a house of agency to conduct the business from India, and also from London, where, I believe, our connections would procure us the consignment of the ships that arrive here annually. 1800
10 Sept.

I presume it now becomes a proper preliminary to know—if we may be permitted to bring such supplies and the mode of sale—whether we will be obliged to dispose of them to Government or the colony in general; and if such an undertaking is promoted it would be requisite for one of the partners to reside here, and to build suitable accommodations for his mercantile and domestic uses. Conditions of trade.

Having understood that the Governor-in-Council of Fort William made certain proposals through Mr. Beyer for sending convicts from Bengal,* who they supposed was the Colonial agent, if the result of this Government was transmitted by Captain Anderson, it would afford us pleasure. Indian convicts.

I have only further to observe that should our intended plans meet approbation, your Excellency may depend on the business being conducted on the most liberal footing circumstances will admit, and have the honor to be respectfully, &c.

ROB. CAMPBELL.

[Enclosure No. 10.]

LIEUTENANT-GOVERNOR KING TO MR. ROBERT CAMPBELL.

Sir,

Sydney, 15th June, 1800.

I have to acknowledge the receipt of your letter of the 13th instant. In answer to the first part, I must observe that as your memorial to Governor Hunter has, no doubt, been transmitted to the Government at home, it would be premature in me to give any other opinion on that subject than that I shall consider it equally my duty as well as inclination to afford every proper countenance and protection to the liberal and fair-dealing merchant. King replies to Campbell.

On the second part of yours, respecting being informed whether you may in the interim be allowed to bring supplies hither, and the mode of disposing of them, whether to Government or the colony at large, I must inform you that with respect to the article of spirituous liquors, any quantity beyond what may be permitted for the domestic purposes alone of the officers and a few deserving industrious settlers will, by His Majesty's commands, be absolutely prohibited from being landed or sold. Perhaps about 2,000 gallons is the utmost that will be allowed to be brought on shore from any vessel arriving here, and five hundred for Norfolk Island; and even this permission will be granted or restrained according to the number of vessels that may arrive with spirits for sale. Importation of merchandise. Limited quantity of spirits only.

Respecting any other articles of use or comfort to the inhabitants that you may be disposed to bring here, there can be no sort of objection to their being landed on complying with the regulations Other articles may be landed.

* Ante, pp. 61, 62.

1800 that will be established on Governor Hunter's departure, in which
 10 Sept. the interest of the fair-dealing merchant, and rescuing the settlers
 and other inhabitants from the oppressive monopolies that have
 hitherto existed here will be equally the object of my attention.
 Convicts from India. Respecting the proposition of the Bengal Government relative to
 sending the convicts hither, I am precluded giving any opinion on
 that subject, as I understand Governor Hunter has transmitted
 the papers on that subject to His Majesty's Government; but I
 shall ever be ready to meet the wishes of the Bengal Government
 in anything wherein His Majesty's service and the interests of
 the public are concerned. I am, &c.,
 PHILIP GIDLEY KING.

(Enclosure No. 11.)

Spirits and wine. SPIRITS and wines imported into Port Jackson from the 3rd day
 of November, 1799, to the 31st day of May, 1800. (Ex-
 tracted from the Report of Entries and Exports.)

Ship's Name.	Description of Ship.	General Lading	From Whence.	Spirits in Gallons.	Wines in Gallons.
Walker	South Sea whaler	Stores	London	220	120
Thynne	Freighted by officers, civil and military	Different goods	Bengal	9,106	....
Euphemia	Spanish prize	.....	Coast of Peru	2,080	2,100
El Plumier	Do do	.....	do	7,228	17,287
Minerva	Irish convicts	Sundries	Ireland	3,000	480
Hunter	.....	Various goods	Bengal	15,338	727
Friendship	Irish convicts	Sundries	Ireland	1,000	480
Speedy, whaler	Convicts	.....	London	400	....
Belle Savage	American	.....	Boston	300	....
				36,590	22,234

UNDER-SECRETARY KING TO LIEUTENANT-GOVERNOR KING.

23 Sept.

Sir, Whitehall, 23rd September, 1800.

Government
goods.The margin
of profit.Ships'
officers as
traders.

I send you enclosed, by the Duke of Portland's directions,
 the invoices and bills of lading of sundry goods shipped on board
 the Earl Cornwallis transport ship and consigned to you, together
 with the prime cost affixed to each article, which you will dispose
 of in retail to the inhabitants for money, or barter for grain and
 animal food supplied to His Majesty's stores, 30 per cent. addition
 to be charged on perishable articles, and 20 per cent. on imperish-
 able articles, to indemnify Government for freight, losses, and
 issuing the same in small quantities. In addition to these goods the
 officers belonging to the Earl Cornwallis transport ship have been
 permitted to carry out a certain quantity of stores, on condition
 that they furnish the Commissioners for Transports with a current
 invoice, together with the prime cost annexed to each article,
 certified by the person who has sold them, to be transmitted

to you by the Board ; and that they deliver a similar list to you upon their arrival at the settlement, and engage not to sell any of the said goods but at such an advanced price, allowing for risk and freight, as you shall think proper.*

1800

23 Sept.

I am, &c.,

JNO. KING.

GOVERNOR HUNTER TO UNDER-SECRETARY KING.

Sydney, New South Wales,

Sir,

25th September, 1800.

25 Sept.

As the most unjustifiable endeavours appear to have been exerted for impressing upon the mind of His Majesty's Minister that I have been diffident in a due attention to those duties which, as the Governor over His Maj's territory in New South Wales, it became my office to shew ; and that I had been so negligent in the concerns of my command that I scarcely knew the number of people I had to employ, nor in what manner their labour was or ought to have been applied for the public benefit. To shew in a clear point of view how very little those treacherous and officious commentators, to whom so much credit appears to have been given (whose whole time had been occupied on their destructive speculations, and whose mean dealings I had refus'd my countenance to), knew of what public works were carrying on, or in what manner any of the public servants, mechanics, &c., were employ'd, I have thought proper to select from the books in which the weekly returns of labour were enter'd, not only a sketch (No. 1 †) of the manner in which the different gangs were employ'd for the last four years, but an account (No. 2) of the various buildings erected during that period, and most of which ought to have been raised before my last arrival in that country. I also inclose (No. 3) a list of such as were mark'd out by me, and design'd to have been carried on had I continued in the settlement. ‡ These, I trust, will satisfy the Duke of Portland, before whom I request you will be pleased to lay them, how far His Grace's judgement and justice have been led away by the confidence which has been somewhere given to those artfull, anonimous, and false informations to my prejudice, and how far a strict, a rigid attention to those duties have been the cause of the wretched aspersions you have receiv'd.

Hunter complains of attempts to injure his character.

His detractors.

Statements of work performed.

Hunter misrepresented.

Little, sir, did I suppose that by opposing those disgracefull concerns which I had been instructed to put a stop to, I should have found myself depriv'd of that support so essentially necessary for enabling me to act with that promptitude and complete effect

A victim to duty.

* Worn (in Governor King's handwriting).—"No other restriction was made than that pointed out by the General Order of 1 October, 1800. In the colony being overstocked, those goods sold for little more than prime cost, and many for less.—P.G.K., 1st March, 1804."

† The information contained in enclosure No. 1 for the years 1797, 1798, 1799 will be found in vol. III, pp. 336, 521, 750 ; that for 1800 is not available. Enclosure No. 1 is, therefore, omitted.

‡ See Enclosure No. 3, which contains marginal comments by Governor King.

- 1800
25 Sept. so highly requisite in this country for preventing the malversations in practise there, and by many of those very men whose duty it was to have afforded me their aid in suppressing them.
- Convicts landed
1793-1800. I will also forward (No. 4) an account of the number of convicts receiv'd into the colony during a certain period, and contrast them with the numbers who have been discharg'd from the colonial victualing books in that time. From this statement you will have it in your power to shew His Grace that the strictest attention to those particular concerns have not been neglected.
- Expirees. The regularly discharging by certificate when the term of transportation was elaps'd was a measure adopted by me, instead of permitting, as had too often been the case, those people to judge for themselves, and to withdraw from public work without such proof of their time being duly expir'd.*
- The Duke of
Portland to
be informed. I need scarcely, sir, take the liberty of calling upon you to see that the facts which I have occasion to state, be laid before the Duke of Portland; I am confident you will consider it highly proper he shou'd see them. You will, I am satisfied, consider it only common justice to the public service, as well as to me. His Grace will be enabled therefrom to see cause for suppressing those prejudices which false and scandalous information have been artfully endeavouring to stamp upon his mind to my disadvantage; nor can I, sir, entertain a doubt of your taking that part which common candour seems to require from your office, as the impositions which have been attempted upon it relative to my conduct must have been directed as well at your judgement as to my injury.
- The hurry of
public
business. If that hurry of public business which at such a time must have gone thro' your department, has prevented that notice being taken of my public correspondence and regulations, which, situated as I have been, became of much importance to me as well as to the service, I cannot but consider the vile and contemptible endeavours which have been us'd to traduce my character as having been too hastily taken notice of and acted from, and without the reference which I cannot but consider my official reports as having merited.
- Hunter's
official
status. The reputation of an officer, holding a high and honorable situation, is of a nature too delicate to admit of so much confidence being plac'd in the private and treacherous whispers of interested individuals, or the anonymous attack of a vile hireling writer. Altho' they may create (where the character is not sufficiently known) some degree of suspicion, stronger proofs appear nevertheless necessary for establishing facts; and I do challenge the whole colony, collectively and individually, to produce such facts as can reflect the smallest censure on my conduct in that wicked and profligate settlement. But, sir, I have long had cause to consider my office coveted; and that, for the purpose of its being vacated
- He
challenges
the whole
colony.

(wretched attempt), anonymous writers have been employ'd in that country to assassinate that character in the dark, which neither they nor their employers dar'd more openly attack, because they knew it cou'd only lead to their own disgrace and disappointment; they knew it to be invulnerable where truth can be obtained, and is allow'd to have its weight.

1800

25 Sept.

Anonymous
calumni-
ators.

I beg leave to inclose a list (No. 5) of the floating craft belonging to Government in the settlement. If, sir, I have blended anything which you may consider of a private nature in this public letter you will have candour enough I trust to excuse it.

I have, &c.,

JNO. HUNTER.

[Enclosure No. 2.]

RETURN of public buildings erected in New South Wales since October, 1796, exclusive of many others completely repaired or enlarged.

A LARGE brick building, erected by Gov'r Phillip at Parramatta, one hundred feet long, much decayed; now completely repaired, and two floors laid throughout that, and an addition of sixty feet also raised by Gov'r Phillip, for the purpose of converting it into a granary for the reception of wheat, there not being one in the country. Buildings at Parramatta.

A strong stone windmill tower, erected on the hill above the town of Sydney; the mill finished and set to work. Windmill.

A perfect suite of barracks, built of brick, at Sydney, between the hospitals and the dwelling of the principal surgeon, for the two assistant surgeons, their former wretched huts gone to decay. Surgeons' quarters.

A strong double-logged gaol of eighty feet in length, with separate cells for prisoners, built at Sydney. This was a useful, and might have been a durable building, until a more permanent one could have been reared; but it was afterwards burnt* by design, but no discovery of the incendiary. A strong logged gaol of 100 feet in length, with separate cells for prisoners, built at Parramatta, and paled round with very high fence, as was the foregoing. This prison was also burnt by design, but no discovery made of the villains, though a considerable reward, with other inducements, were offered. (See General Orders 31st December, 1799, and the 3rd October, 1798.) Log prisons.

Erected two log granaries of one hundred feet in length each (one for wheat and one for maize) on the Green Hills at the Hawkesbury, and inclosed them round with paling. Thoroughly repaired, coated with lime (manufactured from burnt shells), and whitewashed the two government houses, military barracks, store-houses, and granaries, officers' dwellings, with all the public brick buildings, for the purpose of preservation, they being found in a state of rapid decay, and crumbling to ruins, being exposed to the weather. Granaries.

* Vol. III, p. 609 and note.

- 1800** Repaired the Government hutts at Parramatta and Toongabbie originally built by Governor Phillip for the reception of exiles on their arrival, but which had been some years neglected and were now in a state of ruin. Many indeed had fallen down.
- 25 Sept.** Built a barn of ninety feet in length at Toongabbie, in which nine pairs of threshers could work. The original barn at the settlement, built of brick by Gov'r Phillip, had fallen down. Gov'r Hunter found it a mass of ruins, no part of which had been removed.
- Government hutts.**
- Barn at Toongabbie.**
- Point Maskelyne.** Built embrasures to the battery on Point Maskelyne (the western point), and raised a redoubt with eight embrasures on the eastern point, on which were mounted a part of the guns of H. M. ship Supply. Two guns were likewise mounted on the high part of Garden Island.
- Roads and bridges.** Made good the public roads, and repaired them at various times through the different settled parts of the colony and threw bridges over the gullies.
- Built an excellent framed bridge over Duck River, capable of bearing the weight of several heavy laden carriages at one time.
- Granary at Sydney.** Built at Sydney, out of the ruins of a millhouse (that had been erected at much expence and trouble to Government by Lieut. Gov'r Grose), a good granary, seventy-two feet in length, twenty-one feet in width, with two floors, not having a building of that nature at Sydney.
- House at Green Hills.** Built a framed and weather-boarded house on the Green Hills at the Hawkesbury for the residence of the commanding officer of that district. This house was shingled, and furnished with cellar, skilful kitchen, and other accommodation, inclosed round with paling.
- Windmill at Sydney.** Built a barrack for the military guard stationed at that place. Erected another strong stone windmill tower at Sydney thirty-six feet high. This tower before it was covered in was so much damaged by a most violent storm of wind and rain, which continued without any intermission for three days, that it was taken down and again rebuilt, and is now completed.
- Store house.** Built at Sydney a weather-boarded store-house with two windows. This was converted into a temporary place for the performance of Divine worship, the former church, built by the clergyman, having been burnt down, certainly by design,* but no reward (though one was offered by the General Orders of the 3rd of October, 1799) could bring forth the offenders.
- Granary.** Built at Parramatta a weather-boarded granary of one hundred and forty feet in length, and which was shingled, for the reception of maize.
- Blacksmithy.** Built a complete blacksmith's workshop at Sydney for the forges to work.

* Vol. iii, p. 496 and note.

Erected at Sydney a most excellent and complete brick granary of one hundred feet in length by twenty-two in width, with three floors. To this building was an addition of about seventy feet long for a large kiln for the drying of grain. 1800
25 Sept.
Granary at
Sydney.

Built a suite of barracks at Sydney for three military officers.

Erected an elegant church at Parramatta one hundred feet in length and forty-four feet in width, with a room of twenty feet long, raised on stone pillars; intended for a vestry or council room. Church at
Parramatta.

Prepared the foundation of a church at Sydney, but of larger dimensions.*

Built a tower steeple at Sydney of brick for a town clock, and some time after repaired it, the south angle being much damaged by the same storm (June, 1799) that injured the windmill. Made good the plaistering, and coated it with lime. Clock tower
at Sydney.

Built an apartment of brick in the yard of the old gaol (before it was burnt down) for the debtors, containing three apartments.

Built a commodious stone house near the naval yard for the master boat-builder. Paled in a naval yard on the west side of the cove, and erected a joiner's and a blacksmith's shop; sheds for vessels repairing, and for the workmen; a steamer, a store-house, a warden's lodge, and an apartment for the clerk. Naval build-
ings.

Built a handsome and commodious stone gaol at Sydney, with separate apartments for the debtors, and six strong and secure cells for condemned felons. Stone gaol at
Sydney.

Built a large and elegant government house at Parramatta, the former being too small and the framing so much gone to decay that the roof fell in. The present building is spacious and roomy, with cellars and an attic story. Government
House, Par-
ramatta.

Built a neat house in the government garden at Parramatta for the gardener.

Built a new dispensary, and removed the pannelled hospital to a more convenient situation, and raised it upon a stone foundation; erected also, at the same time, a new hospital store. Dispensary.

Prepared the foundation for a powder magazine, the other being unsafe.

Raised a frame and thatched the roof of an open barn at the ninety acres, and laid the threshing floor.

Fenced and paled in the military barracks and exercising ground with lofty paling. Fences.

Paled in a cooperage adjoining the provision store at Sydney.

Paled in the public tanks and round the spring head at Sydney, and cleansed them from filth.

Enlarged by a skilling the whole length of each house, the dwellings of the principal surgeon, the senior assistant surgeon, and the deputy-surveyor, which skillings made an additional accommodation of two rooms to these officers' apartments. Surgeon's
houses.

Built a military hospital and dispensary at Sydney.

* Vol. iii, p. 505 and note.

1800	Built an officers' guard-room at the main guard at Sydney.
25 Sept.	Built sheds for the government boats when hauled on shore.
Miscellaneous buildings.	Repaired a house for a school at Sydney; plastered, white-washed, and coated it with lime.
	Erected houses in the hospital yard for the nurses and attendants while on duty.
	Laid a new foundation, rebuilt part of the walls, and completely repaired the wet provision store at Parramatta, it being in a very ruinous condition.
	Raised also a variety of inferior buildings, all much wanted, to particularize which would be unnecessary, as they may be seen by referring to the weekly returns of the public labour.
Stockyards for cattle.	Inclosed several stockyards for the government cattle, and erected new or repaired the old sheds at Toongabbé, Parramatta, and Portland Place. In the latter district one hundred and twenty acres were fell, and fifty burnt off, a little township marked out, and two or three huts built. The inclosures of the park and burial ground having been suffered to go to decay, a gang of carpenters and labourers were for a considerable time employed in preparing the pickets and railing, and in putting them up, and they are now completed.
	Enlarged and completely repaired the Judge-Advocate's house, several alterations, additions, and out-houses being built.
General repairs.	N.B.—Exclusive of erecting and repairing the foregoing public works, small detachments were daily employed in preserving the various buildings belonging to the Crown in good order and condition, particularly those occupied by that class of inhabitants subordinate to the commissioned officer; and as these repairs were considered by me as essentially necessary to prevent such buildings going to decay they have been uniform during my government.

[Enclosure No. 3.]

LIST OF PUBLIC BUILDINGS PROPOSED TO BE ERECTED BY GOV'R HUNTER.

LIST of public buildings proposed to be erected in different parts of this colony by Gov'r Hunter, had time and strength permitted, in addition to the other works necessarily carrying on, viz. :—		<i>Remarks by Lieutenant-Governor King.</i>
Water-mill at Parramatta.	1. A large water mill at Parramatta; part of the water works considerably advanced, and some part of the machinery prepared.	1. Will be carried on; very little of the machinery done and will be at least ten months before the dam, &c., is completed.
The Church.	2. A church at Parramatta nearly finished.	2. The walls are finished and the framing of the roof far advanced; this work will be continued, and may be finished in eight months.
The Court-house.	3. A court-house at Parramatta.	3. A small house is fitted up for that purpose.

4. A church at Sydney; the foundation dug out and was to be built of stone until it became on a level with the base of the clock tower, then to have been completed with brick, for which and other uses the brick gangs at Sydney have been employed.

4. Will be begun about as soon as possible, as the absolute necessity of that building is evident.

1800
25 Sept.
The Church
at Sydney.

5. A magazine for gunpowder and other ammunition, the present not being safe; the foundation was dug at the back of Windmill Hill, and was to have been built of heavy stone, and the inner part finished with brick.

5. This will be begun as soon as possible, as it has become necessary to remove the powder on board the hulks to prevent its being seized by the seditious.

The
magazine.

6. Two new stores, and a guard house, at the Green Hills, at Hawkesbury; the stores were to be of brick, and the guard house to be a weatherboarded building.

6. Much wanted for the security of the stores and grain at that distant settlement; bricks are begun to be burnt for that purpose.

Store houses
at Green
Hills and
the Hawkes-
bury.

7. As soon as the large windmill tower (now nearly finished) at Sydney, had been covered in and the mill set a-going, it was intended to take the roof off the other tower, and raise the wall 6 or 8 feet higher, to fix the shaft upon rollers, and make it capable of turning two pair of stones; the wheels for the new tower are already made and are at Parramatta; the rollers for the roof to turn upon are at Sydney.

7. This work will be continued until completed; very little of the machinery is done to the new mill, and the tower of the old one will need great repairs, as it is giving way from the foundation.

The large
windmill.

8. A strong log prison, or lock-up house, is much wanted at Hawkesbury; not to be thatched as formerly, but to be either tyled or shingled.

8. Will be begun about immediately.

Prison at
Hawkes-
bury.

9. A stock-yard has been lately inclosed with posts and rails at Portland Place for the use of the Government cattle. It consists of about 30 acres, and takes in a fine chain of fresh water ponds; buildings were designed also to be erected there. There are 100 acres of timber cut down at Portland Place, about 50 of which has been burnt off. It was intended to have continued clearing land there for Government, as there is a considerable track of good ground, and at a convenient distance from Parramatta.

9. This stock-yard will be used, and cultivation on government's account will be carried on here, when more convicts arrive from England, as no greater quantity of ground than 350 acres can be cultivated in the district of Toongabbie, which was originally designed by Governor Philip for the public use, but has been granted away to individuals since his departure. Those people that can be drawn from other works are getting the ground about Parramatta into cultivation for maize.

Stockyard at
Portland
Place

10. Another stock-yard was designed for Government at Pendant Hills in Dundas district but is not yet begun to be inclosed.

10. Will be inclosed when wanted.

and at
Pendant
Hills.

1800

Naval Department.

25 Sept.
The local
fleet.

1. The frame of a vessel on the stocks, the keel of which was laid in consequence of the condemnation of H. M. ship Supply; but from a scarcity of shipwrights, and the ruinous state in which all our floating craft were, and the constant repairs wanted by the King's ships, have not been able to get her forward. She was designed to be about 150 or 160 tons, and fit for carrying a relief of military to Norfolk Island.

1. This cannot be carried on for the want of shipwrights, iron, pitch, and tar, but would be a usefull vessel if we possessed the means of going on with it.

The Cum-
berland.

2. A boat named Cumberland, on the stocks, nearly finished, about 27 tons burthen, intended to be schooner rigged, and to be armed for pursuing deserters, who were at the time her keel was laid in the practise of carrying away our boats.

2. Will be finished without loss of time to accompany the Lady Nelson on survey when that vessel arrives or any other necessary service.

Sydney, New South Wales, July 20th,
1800.

PHILIP GIDLEY KING.

JNO. HUNTER.

Enclosing
Barracks.

Exclusive of the above works pointed out by Governor Hunter, it has, since the date of his remarks, become necessary, from the proofs of an intended insurrection among the seditious Irish, to inclose the barracks at Sydney and Parramatta, and to make other necessary defences for the security of the peaceable inhabitants.

The Battery
on Dawes's
Point.

1. The Government House at Sydney is not habitable until new roofed, and the rotten door and window frames replaced by new ones.

2. The battery on the west side of Sydney Cove being constructed with stones, is now falling down and filling the embrasures, and must be immediately taken down to prevent its being totally useless in case it should be wanted, as it commands the whole approach of the harbour up to the settlement. New carriages and platforms are wanted immediately for the guns placed in other situations for defence, and many other incidental repairs to public buildings already erected are now and will be constantly wanted.

PHILIP GIDLEY KING.

[Enclosure No. 4.]

Convict
arrivals,
1793 to 1800.

RETURN of Male Convicts landed in N.S. Wales from the 1st day of January, 1793, to the 1st day of January, 1800.

Year Arrived.	Ship's Name.	Master's Name.	No. Landed— Effective and Non-effective.
1793	Boddington	Robert Chambers	150
"	Sugar Cane	Thomas Musgrave	140
1794	Surprise (2nd voyage)	Patrick Campbell	16
1795	Sovereign	J. Storey	1
1796	Marquis Cornwallis	Michael Hogan	221
1797	Britannia	Thomas Dennett	150
"	Ganges	Thomas Patrickson	200
1798	Barwell	— Cameron	185
1799	Hillsborough	William Hingston	197
Numbers Landed, Effective and Non-effective			1,280

THE NAVAL ESTABLISHMENT.

157

N.B.—This statement is not given as positively correct to one man or ten, but as nearly so, from the information of persons who came in the several ships, as it is now possible to be obtained. 1800 25 Sept.

MALE Convicts discharged from the Victualling Books, having certificates of their terms of transportation being expired, as per Certificate Book 1,264 Expires.

From which it appears, that there have been more men prisoners regularly and actually discharged (exclusive of deaths, desertion, and every other informal means heretofore made use of) than have been received into the Colony for seven successive years. It is to be remembered that those arriving from Ireland in the *Minerva* (Salkeld) and *Friendship* (Reid) are not included in this return.

JNO. HUNTER.

New South Wales, the 18th of Sept'r, 1800.

[Enclosure No. 5.]

NAVAL ESTABLISHMENT.

A CORRECT list of the floating craft, belonging to Government, in the colony of New South Wales, in September, 1800, viz :— The naval establishment at Port Jackson.

Colonial schooner <i>Francis</i> , of 44 tons	Lately well repaired.
burthen.	
Norfolk, sloop, of 16 tons	Built at Norfolk Isl'd 1798.
Cumberland, schooner, of 23 tons...	Built at Port Jackson; ready to launch.
Three long boats	One of which built at Port Jackson.
A flat for unloading shipping	Do. ; wants repair.
A lighter for do	Do. ; in 1789 by Gov'r Phillip; wants repair.
A brig of 160 tons ; frame raised and nearly timbered.	Built at P't Jackson.
A whale boat for the Governor's use ...	Do.
Two pinnaces of H.M. ship's <i>Reliance</i> and Supply left for the use of the colony.	Now at Port Jackson.
Several smaller boats for various uses ...	Mostly, if not all, built at P't Jackson.
A large colonial pinnace, rebuilt	

JNO. HUNTER.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,
25th September, 1800.

My Lord Duke,

I inclose for your Grace's information a return of lands granted and leas'd in the territory of New South Wales (No. 1) granted.

- 1800 from the 7th of Feb'y to this date,* which is a continuation from
 25 Sept. my last return† by His Maj's ship Reliance, returning to England from the colony.
- Lands granted by each Governor. I also inclose a general account of the lands granted and leas'd by the different officers who have govern'd this territory from the commencement of the settlement (No. 2), in order that your Grace might see at one view the whole quantity in the possession of individuals.
- Result of general muster. Your Grace will likewise receive (No. 3) a return of the last general muster taken by my order before I shou'd quit the colony, and in order that the officer succeeding to the chief command after my departure might the better understand the true state of the settlem't, as well in point of numbers as in every other way in my power to inform him on.
- Labour. I have inclos'd to Mr. King (Under Secretary) a general return of the labour for the four last years of my command, and the various essential buildings erected during that time.‡
- Convicts. I have also, my Lord, laid before that gentleman an account of the numbers of convicts receiv'd into the colony from a certain date up to the present time, as well as an account of the numbers who have been regularly discharg'd from the victualing books by my direction.
- Reports injurious to Hunter. Those different returns I have requested may be laid before your Grace, and I trust they will serve to prove the untruth of those unaccountable reports or opinions which appear to have been so industriously obtruded upon your Grace, to the injury of my reputation and exertions in the service of that colony, the prosperity of which I have so long labor'd most anxiously to promote. I hope, my Lord, soon after my arrival in London to lay before the proper boards a satisfactory state of the expences of the colony, supported by complete vouchers for the various sums drawn for its use.
- Neglected by the British Government. I have, therefore, only at present to express my concern that I shou'd have so long been without that assistance which matters of so much consequence render essentially necessary to the office I have had the honor to fill, and the want of which appears to have contributed so much to the success of those who were anxious either for my resignation or recall, and of others whose disgracefull conduct it was my instructions and duty to oppose.

I have, &c.,

JNO. HUNTER.

* This return is not available. The enclosures therefore commence with No. 2.

† Ante, p. 38 et seq.

‡ See the enclosures to the preceding letter.

LAND GRANTS.

159

[Enclosure No. 2.]
A RETURN of Lands Granted and Leased in New South Wales from 22nd of February, 1792, to the 25th of September 1800.

By whom granted, &c.	Granted.																			Leased.						
	District where situated.																			District where situated.						
	Paranatta.	Toongabbie.	Sydney.	Mulgrave Place.	Northern Boundary.	Ponds.	Prospect Hill.	Eastern Farms.	Field of Mars.	Liberty Plains.	Concord.	York Place.	Bulanaming.	Petersham Hill.	Hunter's Hill.	Port Jackson Harbour.	Banks Town.	Dundas District.	Norfolk Island.	General total granted.	Sydney Township.	Paranatta Township.	Toongabbie Township.	Mulgrave Place.	Norfolk Island.	General total leased.
Governor Arthur Phillip	460	..	..	..	370 000	810	450	590	..	..	..	..	..	..	..	..	..	..	40 3,330	30	..	..	..	..	..	30
Lieut.-Governor Francis Grose	845	420	349	2,040	80 300	275	170	905	530	710	..	..	505	2,140	850	390	..	..	205 10,674	27	..	..	..	..	..	27
Lieut.-Col. William Paterson	100	160	80	2,475	125	20	..	190	760	100	325	50	30	410	..	140	..	..	..	4,905	2	..	..	..	..	2
Governor John Hunter	741	4734	40	6,820	150	80	835	1,516	1,420	850	140	310	1,516	2,015	74	195	3,247	700	3,267	28,650	431	47	30	19 305	3071	
Total	2,146	5,314	469	11,325	725	900	1,920	2,326	3,675	1,450	1,175	900	2,111	4,505	924	725	3,247	700	3,521	47,673	1021	47	30	19 305	4,061	

1800

25 Sept.

Land Grants
by different
Governors.

1800
25 Sept.
Vital
statistics.

[Enclosure No. 3.]
GENERAL Statement for all the Inhabitants in New South Wales—September, 1800.

Descriptions.	Victualled.									Support themselves.											
	Sydney.			Parramatta.			Hawkesbury.			Sydney.			Parramatta.			Hawkesbury.					
	M.	W.	C.	M.	W.	C.	M.	W.	C.	M.	W.	C.	M.	W.	C.	M.	W.	C.			
Civil Department	15	3	3	9	3	5	2	...	...	...	...	...	...	...	...
Military Department	350	4	2	86	6	10	24	...	...	...	...	...	...	...	...
Settlers and others holding ground by grant or lease, not including officers, civil and military.				26	1	...	49	4	...	29	1	...	51	4	...	68	3	...	164	1	...
Free people, convicts, and children, not holding ground by grant or lease.				687	340	480	590	245	221	86	81	183	352	190	29	132	23	3	324	62	7
				1078	348	485	734	258	236	141	82	183	403	194	29	200	26	3	485	63	7

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

1800

Sydney, New South Wales,

25 Sept.

My Lord Duke,

25th September, 1800.

As a mark of that justice which I owe to the exertions of gentlemen from whom I receiv'd the enclos'd letters, I feel my duty to forward them for your Grace's consideration, and the time to observe that, as I know it to have been your Grace's desire to afford every encouragement to deserving persons, whatever way their endeavours may have been employ'd to the advantage of the public service, I conceive it not to have been my intention to hold out rewards *only* to such magistrates and as employ'd in fatiguing extra dutys as may *hereafter* be employ'd in New South Wales; but that those who have been employ'd in assisting me to establish, from a mass of confusion and disorder, that civil police which is now in existence in that colony, to the no small comfort of whomever may command in the colony, there, should also be consider'd as meriting some compensation for the fatigues of their respective situations. But if I am to judge from the observations I had occasion to make before my final departure* from Port Jackson, although after my embarkation, it took place three weeks before I cou'd quit the port, those gentlemen who have hitherto borne with me the fatigues of that colonial service are not to be allow'd any reward, but are to be rewarded with that which I had consider'd their services as meriting, the new chosen magistrates, &c., whose duty will be so easily compar'd with those employ'd by me, are inform'd they will be indulg'd with the labor of extra servants, at the discretion of the commanding officer.

The enclosures.

Rewards to magistrates.

Innovations of Hunter's successor.

Must here, my Lord, beg leave to observe that this mode of remuneration for the zeal and exertions testify'd by those gentlemen.

Hunter's system of rewards.

I had originally the honor of suggesting to your Grace by letter No. 33, 25th May, 1798),† and instructions were requested of it, but I had not the honor of ever receiving any. I consequently cou'd not with certainty carry my ideas on it into effect; I respectfully presume, my Lord, your Grace will discover—on enquiry which, as a justice, is due to my own character and favours I cannot cease to solicit until the odium which I suffer is cast upon it by the manner of my recall is completely removed—that my authority in that, or in any other instance, neither been abused or misapplied in any one respect, what-
artfull means may have been industriously exerted to press sentiments upon your Grace's mind. I have, &c.,

Indignity of his recall.

JNO. HUNTER.

It is evident that this letter was commenced some time before it was completed. Hunter departed for some weeks from Sydney, and it will be seen that one of the enclosures is to have been written more than a week after the date of the above letter. Only the principal part of the letter was written at sea.
I, III, p. 338.

1800

[Enclosure No. 1.]

25 Sept.

SURGEON BALMAIN TO GOVERNOR HUNTER.

Sir,

Sydney, 18th July, 1800.

Assigned
servants.

From your Excellency's General Order of the 17th of June requiring officers and others who have been allowed any number of Gov't servants above two to settle for them with the Commissary by or before the 31st inst., I feel it my duty before the period arrives to state to you some services which (with submission I conceive give me a claim on the indulgence and favor of Gov

Balmain a
magistrate.

From the latter end of the year 1791 I performed the office of a magistrate on Norfolk Island, without receiving any acknowledgment whatever from Gov't for this service.

About the middle of 1795 I was removed from thence, and your arrival in this colony, about the same time, I received your Excellency's command and authority to continue in and execute the duties of the same office; and I feel highly gratified in persuading myself that you will do me the honor to testify your approbation of my assiduity and zeal in discharge of the trust reposed in me.

An onerous
and respon-
sible office.

From the frequent indispositions of Mr. Dore, the Judge Advocate, and the long ill-health of the Rev. Mr. Johnson, the whole official business of sitting justice has often fallen to my lot with all the responsibility attached to such a situation, so that hours, days, and sometimes weeks of my time have been wholly engrossed with this and other occasional public business which your Excellency has been pleased to charge me with; and while have thus exerted myself to the utmost of my skill and judgment in the performance of (at best) a very irksome task, my health has been injured thereby and my mind often very much soured and impaired.

Allowed
eight convict
servants.

For this you have granted me the labour of eight Gov't men the only remuneration in your power to give, and as I am persuaded you do not think the public has been imposed upon by the reward, I request you will be pleased to direct that my account with Government on this score may be discharged.

I have, &c.,

W. BALMAIN.

[Enclosure No. 2.]

THE REVS. R. JOHNSON AND S. MARSDEN TO EX-GOVERNOR HUNTER.

Sir,

Sydney, 3rd October, 1800.

Understanding from a Public Order issued on the first day of this month by His Excellency Governor King† that he w

* Not available.

† Post, p. 220.

instructed to allow the acting magistrates the indulgence of five extra men servants, for the purpose of carrying on their agricultural concerns, as a reward for their extra and laborious services,— we beg leave to submit to your Excellency whether the services we have performed in that duty do not merit for us the same indulgence. We have both acted in that capacity from the time of your Excellency's arrival in Sept. '95, and hope our exertions for promoting the good of the public service, and establishing and maintaining the good order of the colony, have met with your Excellency's approbation. Your Excellency cannot be ignorant of the disordered state in which you found the colony upon your arrival ; and that the difficulties which have been thrown in the way of the civil power have rendered that duty much more arduous and troublesome than it may perhaps be in future.

1800

25 Sept.

Allowances to magistrates.

The clergy-men acting as magistrates.

We humbly request, for the above reasons, that you will have the goodness to submit the above representation to His Majesty's Ministers. With all due respect, we beg leave to subscribe ourselves.

Yours, &c.

RICHARD JOHNSON.
SAMUEL MARSDEN.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,
25th September, 1800.

My Lord Duke,

In obedience to the instructions which I had the honor of receiving from your Grace, relative to the keeping a correct register of all ships and vessels entering into, or sailing out from, the port of His Majesty's colony in New South Wales, I herewith transmit for your Grace's information, an account of such entries inward, and clearing outwards, as have taken place from the time those instructions reach'd me at Port Jackson, untill that of my having quitted the colony.

Vessels entered inwards and outwards.

I have, &c.,

JNO. HUNTER.

Cargo and condemnation of the Spanish ship El Plumier, captured by the Betsy on the coast of Perue, and condemned as a legal prize at a Vice-Admiralty Court, holden at Sydney, in the territory of New South Wales, on ye 7th December, 1799 :—Wine, 17,377 gals. ; spirits, 7,228½ gals. ; tallow, 959 lb. ; brimstone, 259 lb. ; iron hoops, 404 lb.

Cargo of a Spanish prize.

JOHN HUNTER.

RICHARD ATKINS,
Registrar of Exports and Imports.

SHIPPING.

165

A List of Ships and Vessels which Entered Inwards in the Port of Port Jackson, &c.—continued.

Time of Entry.	Ship's Name.	Masters Name.	Built.	Number of Tons.			Where and when Built.	Where Registered.	Owners Name.	General Cargo.	From whence.	Where and when loaded given.	Remarks.
1800. 14 Feb.	Hunter....	Wm. Anderson	Java....	300	8	50	..	Calcutta	Messrs. Campbell & Co.	13,336 gallons spirits, 727 gallons wine, 147,600 lb. sugar, 76 chests tea, 30 boxes candles, 27 boxes soap, 31 boxes chinaware, 4 bags coffee, 17,000 lb. tobacco, 200 bags rice, 53 bales and trunks containing muslins, 53 coils white rope, 30 bales gunny bags, 35 barrels oil, 100 kegs paint, 1 case hats, 4 cases Japan d ware, 307 seal skins, 350 tin and wood canteons, 1 trunk books, 6 cases fishing tackle, 6 cases window glass, 2 cases camblets, 900 lb. tobacco, 140 jugs oil, 3 cases and 7 bundles hardware, 2 boxes ladies dresses, 6 cases glassware, 1,000 gallons spirits, 6 cases mustard, 30 jugs varnish, 1 trunk mens' clothing, 4 trunks haberdashery, 3 cases looking-glasses, 2 cases stationery, 2 trunks cabinanicos, 1 case spirits turpentine, 490 gallons wine, 7 cases pictures, 8 cows, 4 bales mens' shirts, 8 cases starch and blue, 4 horses, 10 ewes, 2 cases carpenters tools, 1 case and bale broad cloth, 4 trunks and 1 case boots and shoes, 1 bale casimere, 1 bale manikens, 1 case saddlery, 6 cases nails, 2 cases Spanish juice, 35 barrels oil, 307 seal skins.	Cork....	London	
6 Feb.	Friendship	Hugh Reed	London	430	10	50	1790	London	Messrs. Mangie & Co.	2 punches rum, 6 trunks haberdashery, 212 tierces beef, 562 tierces pork, 5 bales blue cloth, 93 barrels beef, 54 barrels pork, 12 barrels geneva, 16 hogheads rum, 10 pipes brandy, 1,318 lb. tobacco, 351 lb. pigtail tobacco, 350 lb. leaf tobacco, 2 boxes soap.	London		
15 April	Speedy....	Geo. Quested.	London	313	10	24	1779	London	Messrs. Enderby & Co.		London		50 female convicts.
13 May	Bell Savage	D'Orkington	Bantree	153	12	25	1779	Boston, New England	Messrs. Jones & Co.		Boston	New England.	

RICHARD ATKINS, Registrar of Exports and Imports.

JNO. HUNTER.

1800
25 Sept.
Ships entered inwards at Port Jackson.

1800

GOVERNOR KING TO THE DUKE OF PORTLAND.

28 Sept.

Sydney, N. S. Wales,
28th September, 1800.

My Lord,

Correspond-
ence
between
Hunter and
King.

With this I have the honor to enclose such parts of my publick correspondence with Governor Hunter as it appears necessary your Grace should be possessed of; and I humbly trust that when the very embarrassing situation I have been placed in from the moment of my arrival in the colony until Governor Hunter's departure (six months) is considered, that any impropriety I may have committed in that correspondence, and the causes that led to it, will be pardoned, and ascribed to the motives that has induced me to commit myself by assuming a responsibility that the situation of this colony and those in it required of me.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir,

Sydney, 24th June, 1800.

Convicts vic-
tualled from
the store.

I have the honor to enclose a list of the number of convicts victualled from the stores and employed by individuals, as I have been able to collect.*

General
muster
books.

I have, sir, been ineffectually employed almost ever since I have been here (now ten weeks) collecting materials for a sett of muster books, but for want of information I must give the point up, and have to request your Excellency will be pleased to direct books to be made out, and a general muster to be taken previous to your departure, which I will attend.

The settlers
at the
Hawkes-
bury.

I am informed that upwards of seventy writs are now preparing to issue against the settlers at the Hawkesbury, and that these debts have originated by the rapacity of individuals, by the exorbitant price demanded for spirits. Your humane feelings will, I hope, excuse the liberty I take in saying what a glorious example of humanity it would be if these assassins of publick liberty and destroyers of individual industry were obliged to relinquish these demands in part, and being confined to about 100 per cent. profit on the goods brought here.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 2.]

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.

Sir,

Sydney, 25th June, 1800.

Assigned
convicts.

I have received yours, inclosing a list of servants in the employment of officers, civil and military, and others who have had that indulgence. Whether it be a correct statement or not it

* The list is not available.

will be found difficult to determine at this time from the rancour and disregard which has constantly prevailed among the various descriptions of persons belonging to this settlement. 1800 28 Sept.

The deceptions that have so often been practised upon me, and the very imperfect assistance which I have received, thro' the opposite interest and pursuits of individuals, and various other causes which I may hereafter have occasion to notice, give me no reason to have any particular doubt of the truth of this list which has been collected for you. I would not at the same time be understood to give it proper credit. You need not be at any loss with respect to authority, for it is my particular wish and desire that you should receive every information you can have occasion for during my stay here. A general muster I am desirous should be made as early as possible, and it has been delayed only on account of the Hawkesbury settlers sowing their ground. It will be a great relief to me if you will attend that muster, as I find much to do in preparing for my departure.*

Difficulty of arriving at the truth.

A general muster to be taken.

The unfortunate settlers, whose cause you are so desirous of pleading, having had no cause within the last five years to complain of the want of humanity in the chief authority here. It may perhaps be said they have had too much consideration and attention paid to their interest, and sometimes at the public expence; and their subsequent conduct has but too often manifested how little such humanity was merited. If you can suggest any means of lessening the exorbitant demands of creditors which the law will admit I shall be much pleased, and will give it all the authority I hold. The consciences of the colonial dealers I can be no stranger to, having had so much cause to trouble his Majesty's Minister on such subjects, but without the effect I so vainly wished and expected.

Hunter's treatment of settlers.

I have, &c.,

JNO. HUNTER.

[Enclosure No. 3.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir, Sydney, 26th June, 1800.

I received yours with the list of servants, &c., and I cannot but lament with your Excellency the consequences "of the deceptions that have been so often practised on you, and the imperfect assistance you certainly appear to have received" from those whose duty and obligations to you, merited a better return; and I am bold to say, and confident in my assertion, that such are the consequences, that it is well known, while you are going home with the savings of your pay, there are those who are possessed of thousands, gained by infamous and oppressive traffic, and practising those deceptions on you. The list of servants was given to the superintendants by the officers, in consequence of a circular letter I wrote for that purpose. The list of names I am

Deceptions practised on Hunter.

Officers' servants.

* The general muster was taken in August. The results will be found on p. 160, ante, and pp. 186 et seq., post.

1800 ready to produce, and I hope you will excuse my observing h
 28 Sept. necessary it appears to me that you should, in compliance w
 your instructions, limit the officers, &c., to their prescribed nu
 bers*, or obliging them to pay for the excedent, and not to les
 this regulation to me to perform on my taking the comman
 which I apprehend would on every account come better fr
 yourself. But in this you will of course be guided by your o
 reasons and judgement.

The muster. No attention of mine will be wanting to make as complet
 muster as possible when the books are ready for that purpose.

Exorbitant demands of creditors. In answer to that part of yours, "that if I can suggest a
 means of lessning the exorbitant demands of creditors which t
 law will admit, you will give it all the authority you hold," a
 cannot go generally into the regulations I have formed of restr
 ing the external as well as the internal dealers (which last are t
 most dreadful) from preying on the vitels of the inhabitants
 shall confine myself to observing that if an ordinance was est
 lished similar to one I fixed at Norfolk, the vile proceedi
 respecting the great remainder of the many thousand gallons
 spirits lately brought might be stopped by fixing the price at 2
 p. gallon, and invalidating all claims for a greater price, wh
 will give the retailer 100 p. cent. profit; and how far anot
 ordinance, prohibiting the civil court from taking cognizance
 any debt contracted for spirits above that price, might be pro
 must rest with your Excellency; but I shall have no hesitation
 that head when the command is left with me.

Fixing the price of spirits.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 4.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir,

Sydney, 5th July, 1800.

I am informed that the seamen of the Betsey are secret
 people to take from hence, &c.

A disorderly house. C—— S——, a convict, is now keeping a most disorde
 hut on the Green Hills, at Hawkesbury, and retailing spirits
 a most exorbitant rate without licence or authority. The settle
 from these irresistible lures, are prevented from cropping th
 grounds, and what remains in their stacks falls into the hands
 three or four bloodsuckers—for a better name I cannot give the
 I must, therefore, intreat your Excellency to direct a stop bei
 put to an evil that must plunge the colony in the horrors of
 famine next year, as but little wheat is yet got in by individu
 and only 300 acres belonging to Government. It is to t
 Hawkesbury we are to look for our supplies, and there t

The wheat-fields of the colony.

* The regulations concerning the number of assigned servants to be allowed to each of
 are referred to in the despatches printed in vol. ii, pp. 51, 209, 302, 324, 328, and vol. iii,
 40, 83, 84, 85, 290, 295, 334, 385, 388, 398, 448, 490, 511, 734.

wretched settlers are tearing from their families and farms to reflect on their miseries, occasioned by these poison-dealers. Excuse these *truths*, sir, as they are drawn forth by the applications of the wretched objects, on their way to jail, to me to rescue them and their families from the oppression of the infamous traders with which this colony abounds. The settlers for the most part would be glad to put their wheat into the stores at 8s. per bushell. I propose the schooner going round to the Hawkesbury for grain ; but that must depend on the colonial carpenters being spared from the Buffalo, as it is become absolutely necessary for the saving the public money and the next year's existence of the inhabitants that measures should be taken as promptly as possible to put the colony in those regulations that must economise the one and secure the other. My intention is to draw every one I can to Parramatta and Toongabbee. I shall go there next week, when I will endeavour to separate the hornets from the bees, which cannot be done until the muster takes place.

1800
28 Sept.

Necessity
for
economy.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 5.]

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.

Sir,

Sydney, 5th July, 1800.

I have just received your letter on the subject of certain information which you say you have received, and I have no doubt you may receive as much as you may be inclined to listen to ; but of its truth or correctness I must, from the experience I have had in this country, have my doubts, for I am not without my information also. The imprisonment of many of the settlers is a circumstance and misfortune which you cannot do more to prevent than I have done, unless the courts of justice are entirely shut up. You have not been long enough in the colony to know what a little more time will give you a more perfect acquaintance with.

Hunter and
King.

The shameful and destructive conduct of the various dealers I am no stranger to ; but with respect to those at the Green Hills, according to the information you have received, if it is known to the Parramatta magistrates, they ought to have dislodged such a nest of villians. I have not been without my suspicions that much of the cleared ground in the hands of the settlers would, as well from their idleness as from their late misfortunes, lay unemployed this year. But those are not the only causes to which that appearance may be attributed. I know that many of them had no wheat left, after the late unfortunate flood at the Hawkesbury, to sow their grounds with, &c. If you are to look chiefly to the Hawkesbury for support, it will ever be a precarious dependance, as the

Conduct of
dealers.

Wheat
supply from
the Hawkes-
bury.

1800 last two years have evinced. I have, no doubt, however, that the
 23 Sept. idea will be pressed upon you, &c. If you will name the day you
 wish to hold the muster, and at what place you will begin, I will
 give orders for it, and in what manner you are desirous of having
 it taken. I have, &c.,

JNO. HUNTER.

[Enclosure No. 6.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir, Sydney, 6th July, 1800.

In answer to yours of yesterday, I respectfully wish it to
 be understood that I not only said I received these informations,
 but that I did receive them. It is my duty to seek for informa-
 King seeks tion and to search for truth, in which I shall persevere; otherwise,
 for information. how am I to gain that information so necessary for me to possess.

In your letter to me of the 25th ulto.* you wished me to sug-
 gest means of lessening the exorbitant demands of creditors. I
 did, in my answer. The mode I pointed out is what I mean to
 persevere in, having had seven years' proof of its efficacy. I have
 His method no wish to "see the courts of justice shut up": on the contrary,
 of dealing of dealing with importunate creditors. I will support their uninterrupted course; but I will go to the
 extent of my authority to prevent the unwary from being the
 dupes of a set of villians, and prevent the commissioned or other
 dealer from preying on the vitals of the public and the individual.

It is this that fills the criminal courts with culprits, sent to this
 colony for the very crimes that the cupidity of the first-rate dealers
 (who ought to shew a better example) are daily compelling those
 wretches to commit. Hence, forgeries and robberies are hourly
 perpetrating; families are falling on the public stores for support;
 money has lost its value. All these evils, and many more, arise
 from the quantity of spirits with which this place is now inun-
 dated. If a doubt remains where it is, I know but of one hoard,
 which was in the Supply hulk, and is now finding its way thro'
 the colony at an immense rate, and will, in the end, immure the
 rest of the settlers in a prison.

During the three months I have been here I have observed, and
 am well assured, that enforcing His Majesty's commands has already
 (and will much more when I take the command) draw on me the
 opposition of every one in the colony, and that the greater their
 rank is the more I shall be the object of their resentment. This
 I have already experienced.

You have heard me publicly declare that I would send the first
 officer home who disobeyed my Orders respecting the infamous
 traffic that prevails here. This I will do, and will not fail to draw
 forth the publick destroyer, be his work what it will.

On what you observe respecting the importance of the Hawkes-
 bury, I agree with you as to its precarious state on account of the

* Ante, p. 166.

floods; but still there is a great quantity of unthrashed wheat there, which will one way or other find its way to the publick stores, and I do not despair of purchasing wheat next year at 6s. per bushell. 1800
28 Sept.

I trust I am not so weak as to be made a dupe of anyone's artifice for their private ends, by allowing the idea of one place's importance over another to be impressed on me. A nine years' apprenticeship in these colonies has taught me that in following my own opinion of men and things I am oftener right than in relying on the advice of crafty individuals. King on his guard.

From the excesses of all kinds, and the licentiousness of the settlers and other inhabitants at Hawkesbury, I have considered it necessary to send a magistrate to reside there upon the spot, and have made choice of Mr. Grimes, the deputy surveyor, for that purpose, having his farm on the spot. I would wish him to go there as soon as possible, before the muster takes place, which I shall be ready to attend here on Thursday se'nnight, Mr. Marsden at Parramatta, and Mr. Grimes at Hawkesbury, all on the same day. A magistrate sent to the Hawkesbury.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 7.]

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.

Sir,

Sydney, 8th July, 1800.

I received your letter of the 6th, which I cannot but feel as an aggravation of those indirect insults which I have experienced since your arrival; and I must say that they have been such as I do not feel myself disposed, either as a publick officer or a private person, to submit to. That indelicate impatience so conspicuously manifested in you for being the possessor of my office, and which I confes myself no less impatient to put into yours or any other hands, until I can have an opportunity to convince His Majesty's Minister as well of the imposition practised upon his well-known justice as of the injury done to me. Your impatience, I say, and the various threatnings you have so publicly held out of what your intentions were, have occasioned suggestions among the people in several parts of this country, not only effecting my authority and respectability as the Governor, but injurious to my character as an officer and a man. It has been believed, sir, from these causes, and the observations which have been made, that you possessed a power to annul my authority altogether, and to render me, who have so long commanded here with justice, humanity, honor, and integrity, a mere cypher. Shew me the man who dare say I have in a single instance deviated from those principles, or on any one occasion acted inconsistent with the dignity of my office. Hunter takes offence
at King's conduct.
An injurious impression.

1800
28 Sept.
Hunter's
proffered
aid.

You were readily offered by me, sir, every information in my power to assist you with, for the more effectually commencing your authority ; but you have chosen to apply for such information as you were desirous of thro' a different channell ; and I repeat, sir, that I have many doubts of its correctnes ; nay, sir, I have more than doubts on many parts of it. The busines relative to the Supply, hulk,* which you have mentioned more than once, you are not properly informed on ; nor does it consist with my situation to set you right, as you appear satisfied with what you do know.

Spirits.

You have said much about spirituous liquor in the colony. Whatever there is, or has been, you cannot be accountable for. It will be your duty to act for the public benefit in such a manner as your judgement may direct as soon as I depart. Whatever my arrangements may have been, I hold myself responsible for them. I require no support but truth and justice, and I presume that Government meant not to send a public censor to investigate here whether my management has or has not been proper.

Regulation
of legal
proceedings.

Your suggestions which I received the other day was of a nature which could not in my judgement be properly introduced by me at that particular juncture. The fit time to establish new regulations to govern the civil proceedings of our court of law is in the interval between the dissolution of one court and the appointment of another, and not during the existance of that which has already gone far into the busines before it, and whose proceedings have been governed by other existing regulations.

Debtors and
creditors.

Your observation on the people who have been imprisoned for debt crying to you to relieve them from the hands of their creditors is, sir, an insinuation injurious to my character in the administration of publick justice, which in that respect in this colony or elsewhere stands unimpeached, and as fair as any man living. If they were unjustly dealt with, they knew they could at all times have recourse to me, and that I am never deaf to the just complaint of any, therefore need not supplicate others.

Hunter,
smarting
under a sense
of injustice,

To shew how far I am justified in being dissatisfied by the observations I have made since your arrival, for it is those only which affect my publick authority, my respectability in my office, and my reputation in or out of that office, that I think worthy of my notice, I have to observe that in your first letter† to the Duke of Portland, which you sent open for my perusal, had the following paragraph which struck me so forcibly that I saw it proper to copy it from that letter :—" Agreeable to your Grace's direction, I

quotes from
one of King's
letters.

* King had stated in his letter of 6th July that a large quantity of spirits from the Supply was then being rapidly distributed amongst the settlers. Ante, p. 170.

† See Lieutenant-Governor King to the Duke of Portland, of 29th April, 1800, ante, p. 78. The Governor explained to Under-Secretary King that his only reason for inserting this paragraph was to hasten Hunter's departure.—Governor King to Under-Secretary King 23th September, 1800, post, p. 199.

have to inform you that the Friendship is the first *safe* conveyance that has offered since my arrival ; but the time appearing too short to Governor Hunter to arrange his business, he informs me that it is his intention to take his passage in the Buffalo, Colonial ship, and to sail about August. Perhaps no other safe conveyance may occur before that period, but should His Majesty's commands for Governor Hunter's return by the first safe conveyance not be attended to, which I have no reason to suppose can or will be the case, I shall not fail to follow my instructions."

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This extraordinary and indelicate paragraph (which if it means anything) conveys a conjecture that I may be disposed to disobey His Majesty's commands, or that you possess a certain power, which, if it were possible you did, it would have been your duty to have made me acquainted with it. I have now, sir, to request you will take the trouble to make me thoroughly understand the intention of that paragraph, lest from mistaking your meaning I may be led into error or injustice in the observations I may have occasion to make upon it either here or hereafter.

Hunter asks
for an
explanation.

The various arrangements relative to the general muster and the relief of the military detachment I have given directions upon.

I am, &c.,

JNO. HUNTER.

[Enclosure No. 8.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir,

Sydney, 9th July, 1800.

In answer to yours of yesterday's date, I am sorry to find you construe the informations and communications I have had with your Excellency, since my arrival here, into an indirect insult, than which nothing has been more distant from my thoughts.

King mis-
construed.

You accuse me, sir, of an "indelicate impatience conspicuously manifested by me to possess your office." Surely, my declining to take the command on me until your departure, which you intimated to me the day after my arrival, no way indicates an impatience of that kind. The threats you remark on respecting my intentions, I mentioned in my letter of the 6th.* I most certainly have expressed these intentions in conversation, and generally in presence of those who are known dealers in the spirits, with which this colony is inundated. I have done it, sir, to induce them to abandon these practices before my situation (when the command devolves on me) compels me to put these intentions or threats in force. If in doing this any one has been so wicked to interpret it to the disadvantage of your authority or character, I am sorry for it, but must disclaim that intention on my part.

Not anxious
to displace
Hunter.

Suppression
of the liquor
traffic.

* See the paragraph in King's letter of the 6th July, ante, p. 170, in which he states his intention to send home any officer found trafficking in spirits.

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King acts
with
Hunter's
concurrence,and dis-
claims any
personal ill-
will.

Under this attack I feel it necessary to remark that it was n
intention to repeat every circumstance that has occurred since n
arrival ; but as that will take up too much time, I must conte
myself with observing that any interference I have had wherein
may have betrayed an impatience to be put in possession of yo
office has been by your positive or implied permission. If you w
have the goodness to state the particular occurrences I shall
able to answer to it ; but at present I certainly am ignorant of a
indelicate impatience on that head. I believe, sir, no pers
breathing has a higher sense of your many virtues than mysel
this, sir, I have expressed in the same breath that used tho
threats you mentioned, and this in a manner equally public. Yo
certainly offered me every information I wished, and allowed n
to collect it from those in trust under your Excellency ; I, therefo
in your name, applied to the superintendants, and Captain Joh
ston, your aid-du-camp, for the general lists of those supported l
the public, and to the officers individually for a list of their convi
servants. This was done openly.

Spirits on
the SupplyKing
attempts to
reduce the
price of
spirits.

What I have said of spirituous liquors (and particularly th
your Excellency alludes to, which belongs to an individual, a
was on board the Supply hulk on my arrival, &c.), I have respec
fully stated it in my letters to you, not as a present so much as
future evil, in alluring the settler from his labour and destroyi
the means of supporting his family. It was out of my power (wit
out a full manifestation of the impatience you complain of) to l
any restrictions on its price or circulation. I, therefore, respectfu
applied to your Excellency, and I hope you will allow that t
application was not improper, as its end was to discontinue t
imposing prices paid for that poison. This will be felt by all, n
at present, but next year, when we shall feel the want of wheat

The com-
plaints of
imprisoned
debtors.

When those who were arrested and carrying to jail solicit
my good offices, would it not have been criminal in me to conce
it from you ? I mentioned it as respectfully as possible—perha
rather warmly. If it is so interpreted, it could only proceed fr
an indignant warmth, which I can only attribute to the wretch
who have made such a prey of their fellow-creatures by the
infamous impositions. Might not an Order from your Excellen
forbidding spirits to be sued for at more than 10s. a gallon af
the close of the present Civil Court prevent some of the b
consequences of the exorbitant charges that are making at t
Hawkesbury and in other parts of the colony.

King defers
to Hunter

If, sir, my interference in any or every publick circumstar
meets your disapprobation, I most certainly will desist. What
have done has been with your knowledge, and in most cases w
your positive approbation. If you will have the goodness
signify your pleasure on this head, I shall most readily com
with it.

As I never have, nor do I design to, press any part of my instructions on your Excellency during your stay here, I hope you will excuse my declining to communicate any confidential instructions I may have received which does not interfere with your authority, as I feel no hesitation in assuring you that I possess no power whatever to annul your authority.

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28 Sept.

His confidential instructions.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 9.]

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.

Sydney, New South Wales,

11th July, 1800.

Sir,

Your letter of the 9th I have received, in which (from the observations contained in my letter to you of the 8th) you express a desire to know if I have any objection to your pursuing the different objects you then had in view. I should scarcely suppose it possible you could believe I have any desire to impede such search or investigation as you may wish for enabling you the more effectually to obtain these objects.

Hunter's reply.

It is not useless and empty parade; it is not personal compliment or attention that I am desirous of being shewn me as a private individual during my stay in the colony. It is the necessary authority, consequence, and respectability of the Governor's situation, which I cannot with indifference see treated in any way which may draw contempt upon the office or the person who holds it. The various pursuits you may be engaged in have not at any time, when known to me, been refused my sanction, nor will they during my stay be without my utmost furtherance.

Dignity of his office.

Such expressions of personal regard or esteem for my character as any of my acquaintances may be pleased to bestow on me do certainly merit my acknowledgements, altho' they may sometimes fall short in common practical experience. Yours, sir, have appeared to me in this colony very ill to accord with the warm and friendly regard expressed heretofore in your letters. Political views, private and personal interest, do sometimes produce those extraordinary changes in the mind as well as in the general conduct, and your letter, from which I made a quotation, is to me a powerful proof of that effect, &c., &c.

Private relations between Hunter and King.

Those different sentences, which I must still consider as not only indelicate, but an oblique attack on my disposition to obey His Majesty's command, as well as doubting that promptitude which I have so often shewn in a long and faithful service, was my particular turn. I cannot, sir, conceive it possible that any instruction you could possess could render such insinuations necessary. If the opinion be allowed, they cannot admit any other construction than that of a desire to produce certain effects upon the mind of the

King's instructions.

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Secretary of State disadvantageous to my character as a faithful and obedient officer, and to stamp the impression of an opposite opinion in favor of your own.

King's
instructions
not com-
municated
to Hunter.

Your secret or confidential instructions I have no desire to be acquainted with, altho' I am of opinion that there is a want of official correctness, if they are of such importance to this settlement, in their not having been communicated to me from the proper quarter, for much of that instruction I know to have been founded on my representations, altho' I have never been favored with any reply upon these essential points. But this is only an additional proof of that want of support, that neglect, I have experienced for some time past, and serves to confirm my conjecture of the impositions that have by some unwarrantable means been pressed upon the Secretary of State to my injury, and is a reason why I must repeat my desire of knowing if the observations I have quoted from your letter to the Duke of Portland of the 29th April last became, in consequence of instructions, unavoidably necessary on your part, and if they were so it will be naturally inferred that some pains must have been taken to fix in His Grace's mind ideas unfavorable to my character, which it becomes my duty, as well as it is my inclination, to defend. If there is a spark of truth to be found, or of justice to be obtained, the conviction of an immaculate conscience assures me I have a right to expect it, and I trust my character will be found to rise superior to the mean, dark, and contemptible attempts which has been made to asperse it.

Hunter
draws
inferences.

I am, &c.,

JNO. HUNTER.

[Enclosure No. 10.]

LIEUTENANT-GOVERNOR KING TO GOVERNOR HUNTER.

Sir,

Sydney, 12th July, 1800.

King's reply

In answer to yours of yesterday, I must observe that as you do not think proper to inform me on what occasions "my conduct since my arrival has discovered an indelicate impatience to possess your command, and caused suggestions &c.," I have nothing further to remark on that head than that my conscience fully acquits me of the one and the other.

No attempt
at conceal-
ment.

I have no present or premeditated objects in action or view that I need conceal from you or any other person; and as yet there is no enquiry I am about that has not received your positive or implied permission or approbation; and if I have found it necessary to make any communication to you verbally or in writing, that in my opinion effected the future welfare or interest of the colony, and wanted immediate attention, I did it as a duty I conceived incumbent on me, without a design to insult or lessen your authority during your stay here.

Moved by
a sense of
duty.

The inuendoes and direct allusions in the 4th paragraph of your letter I cannot but consider as a marked insult on my character, and as devoid of truth as they are unmerited. You may, or you may not, choose to be convinced that the reasons of your present removal are such as I presume have been explained by your despatches. Any interference of mine has been directed to rescue your integrity from the imputation cast upon it by the writer of the anonymous letter you possess.

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28 Sept.

A "marked insult."

The copy of my letter* to Mr. Secretary King which he referred you to, and which you required of me soon after my arrival, shall be delivered you before your departure; and you will see in that, as well as in all my communications respecting you, that I have acted in a very different manner to the example shewn me in a publication respecting this country that bears your name as its author.

King's treatment of Hunter.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 11.]

GOVERNOR HUNTER TO LIEUTENANT-GOVERNOR KING.

Sir,

Sydney, 12th July, 1800.

I have just now received yours of this day; but observing that you continue to decline explaining that paragraph in your letter to the Duke of Portland which I had quoted, I have only to add that,

Hunter's reply.

I am, &c.,

JOHN HUNTER.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord,

28th September, 1800.

I had the honor of informing your Grace of my arrival here the 15th of April last, by the *Friendship*†, which sailed from hence a fortnight after, and as the command was not given up to me before the date of this letter, I hope that time has not been unprofitably spent in gaining such information as may enable me to perform the duties which the trust I am honoured with requires.

King's arrival at Sydney.

Some time previous to the command being given up to me, I was directed by Governor Hunter to take a general muster of the inhabitants at the different settlements; and as I conceive it my duty to inform your Grace of the result of that muster, I have enclosed my report thereof,‡ a copy of which I delivered to Governor Hunter. In this report your Grace will observe the distribution of that class (free people and convicts victualled from the stores) who labour for the public benefit. As soon as the command is

A general muster.

* This letter is missing.

† King arrived by the *Speedy*; he means that his first despatches were sent home by the *Friendship*.

‡ See also the General Statement of Inhabitants, ante, p. 166.

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28 Sept.
—
Free men
victualled
from the
public store.

More
convicts
required.

Farms at
Toongabbie.

Superinten-
dents
wanted.

Profits of
monopolists.

given up to me I shall cause another general muster to be taken, and shall then direct every remaining free man whose labour is unproductive, as well as those who do no public work, to be struck off the victualling and cloathing lists, and shall direct as many of the remainder as can be spared from other public works to be employed in cultivation on the public account, for which purpose I shall cause the hutts now in ruin at Toongabbee and Parramatta to be put into repair for the reception of such convicts as may hereafter arrive from England, and those that I may be able to draw from Sydney from other indispensable public works, and those that may return to public labour from those now employed by officers, exclusive of two to each, and an extra number to officers doing the duty of magistrates, &c.* But, until more convicts are sent from England, I do not apprehend our numbers at public cultivation will be much increased, from the great repairs wanted for the public buildings already erected (to prevent their going to ruin) and the urgent necessity there is for store-houses and mills being immediately begun upon and finished, a list of the necessity of which I have the honour to enclose ;† but I beg to assure your Grace that no exertion of mine shall be wanting to forward my instructions respecting cultivation on the public account.

The full extent of ground about the settlement of Toongabbee, which was designed by Governor Phillip for the public use, being mostly granted or leased to settlers, prevents more than three hundred acres of wheat being sown in that place this year, and one hundred acres which is planting with maize will occasion the necessity of removing to other situations. This was begun by Governor Hunter last year, at Portland Place. The convicts, who must clear and labour that ground, require the constant eye of a superintendant to make their labour the least productive ; but, as the present establishment of that class of officers will not admit of one for that situation, the best shall be done without ; nor shall I trouble your Grace with application for others until such arrangements are made as will enable me to ascertain their utility and advantage. At present my observation confirms me in the opinion that the only inducement which this, as well as many other descriptions of people have in this colony of being employed by the Crown, is that it gives them opportunity and consequence to impose on the public and to join in sharing the immense profits that have been made of the shameful monopolies that have so long existed here, and which have been uniformly applied to the misery and ruin of the labouring settlers. In support of which I shall not trouble your Grace with any other proofs (out of the many that may be produced) than the representation which I am informed has been already transmitted to your Grace by the Reliance, to which I shall

* See King's General Order of 1st October, 1800, post, p. 220.

† This enclosure is not available.

add the enclosed statement of the price of articles retailed here, and the consequent price of labour,* which has filled the jail with settlers who have dissipated their all with those hucksters.

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28 Sept.

From the few people employed in cultivation on the public account it has been necessary to purchase the deficiency of grain and animal food (for the support of those maintained by the Crown) from the settlers and other private cultivators. This, with the pay of the New S.W. Corps and the officers on the civil and military establishment, forms the principal on which the dealers of all ranks speculate. Hence it will appear to your Grace that as the dealer charges the settler 400 or 500 and often 1,000 per cent. on the prices paid to masters of ships, that the misery of the greater part of the settlers is the present consequence, and that the total ruin of the colony at large must be the eventual end if a stop is not soon put to the unwarrantable price of labour and the hitherto existing monopolies and extortionate demands of usurious dealers and their dependent retailers. These evils, and the indiscriminate manner in which convicts and every other description of persons have circulated their promissory-notes, has so totally depreciated the value of money that its worth is totally disregarded.

Food
supplies
purchased
from
settlers.

The price of
labour.

Respecting that class of the inhabitants whose terms of transportation are expired, and who support themselves, I must observe that as their labour only tends to keep them in a constant state of intoxication, or to procure the means of leaving the colony, it becomes their interest to keep pace with the extortion of the dealers who often demand from three to six pounds a gallon for spirits. Of course the labourer charges that sum to the farming settler who, not having any means of procuring spirits or articles of payment, must give his wheat, the price of which is fixed at ten shillings per bushel. The consequence of which is that there are now forty-seven settlers whose farms are under execution for debt, and scarcely one whose crop is not mortgaged. Nor is this the only evil, as there are now twenty-four settlers confined for debt whose farms are lying waste and their families become a burthen to the public. To suppress these, as well as many other evils, Governor Hunter's Orders appear to me to have been very clear; but still the evils do exist, and that in a great degree. Delicately situated as I have been with Governor Hunter since my arrival here, I feel a reluctance to enter into these details; but as I have every reason to believe that his public conduct has been guided by the most upright intentions, and that he has been most shamefully deceived by those on whom he had every reason to depend for assistance, information, and advice, I have, therefore, no hesitation in making these communications, which a necessary attention to my own responsibility renders necessary, as it will be impossible for me to attempt checking those evils without the direct and

Expirees a
profligate
class.

Bankrupt
settlers.

Farms
abandoned.

Hunter
shamefully
deceived.

1800 indirect opposition of those whose long accustomed interest is
 28 Sept. much concerned in the present course of things. Respecting my
 self, as I have no farm or other personal concerns to employ my
 attention about, my endeavours will be uniformly directed to
 remove these evils as much as possible, and how far the ordinance
 King's pro- I shall publish on Governor Hunter's departure may have the
 fected no- effect must depend upon circumstances. But I beg to assure your
 scuse. Grace that no efforts of mine shall be wanting to enforce a
 obedience to every part of the instructions I am honoured with
 and in doing which I have laid my account with finding every
 obstacle that can be thrown in my way. Still, I shall persevere
 humbly confiding in your Grace's support.

Before I quit this subject I must trespass on your Grace's patience
 by hoping that the prayer of the settlers' petition (which I am
 informed was forwarded by the Reliance)* to your Grace, and the
 request I made in England for a public warehouse on the part of
 A (Govern- Government being opened here, from whence the settlers may be
 ment ware- supplied with every article they need at a fair rate, will be granted
 house. as I am persuaded that alone will restore industry among the
 settlers and be advantageous to the Crown.

Your Grace will observe by the enclosed remains of stores, &c.,
 State of the how deficient we are in many articles for the use of those supported
 stores. by the Crown, and for carrying on the necessary public works.
 Consequently that we possess no present means of opening such a
 store until articles are sent from England (which may now be
 done expeditiously and at a cheap rate by the whalers, as the
 fishing has fully answered the expectations of the masters of these
 vessels). The quantities I have endeavoured to enumerate in the
 enclosure† with such remarks as appear necessary to possess your
 Grace of every information on that behalf.

Soon after my arrival here I requested that the live stock
 The Govern- belonging to the Crown might be marked with a ⬆. The super-
 ment live stock intendant who had that charge, being a man of bad character, and
 had greatly neglected it, I applied to Governor Hunter, who
 removed him from that situation. The man who now has the
 charge has been some years in the colony as a storekeeper. He
 in charge of has the character of being a very honest man, is active and uses
 a superin- to cattle. I have therefore, in consequence of the great value of
 tendent. that stock, taken it upon me to increase his salary to £100 per
 annum, which I hope will be approved of; and as I have discharged
 the other superintendant (Hume) from that list, no addition will
 be made to the numbers on the establishment, and the only in-
 crease £50 per annum; and I hope the great necessity of the
 stock being taken proper care of will appear a sufficient reason
 for this measure.

* See the settlers' petition, ante, p. 25 et seq.

† This enclosure is not available.

† Enclosure No. 3 omitted.

By the enclosed return* of the live stock belonging to the Crown, and of that belonging to individuals, your Grace will observe that the colony possesses a tolerable abundant quantity of breeding cattle. It was my intention to have sent the Buffalo and Porpoise to the Cape of Good Hope for another cargo, and then to have trusted to the increase of those we have; but as Governor Hunter takes the Buffalo to England, and the Porpoise not being arrived, I must defer sending the latter ship until the next September, when I shall endeavour to load her with coals for the Cape, if they can be obtained, for which information I must beg to refer your Grace to Governor Hunter, who will inform that a prize ship which he gave some individuals leave to purchase, is fitting for that employ, but unfortunately the vessel that was bringing up the first cargo of coals to load the ship with, is disabled; still I hope they will be able to complete their object. As soon as circumstances will enable me, I shall ascertain how far it will be practicable to load ships with coal from the northward, where they are found in the greatest abundance. Since my arrival I have employed the only miner I could find in the colony to search for that article in this neighbourhood, and with some hopes of success.

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28 Sept.

Stock
returns.Coals for the
Cape.

As the cattle and horses we possess are only of the small African or India breed, I humbly beg leave to suggest the great advantage that would arise to the future welfare of the colony, if a breed of English cattle and horses fit for labour could be sent. In case the Buffalo returns to this colony, and should this meet your Grace's approbation, I beg to observe that the commander of the Buffalo (who has brought two cargoes of cattle from the Cape in very good order, considering the length of voyage) can give every information respecting the age and size of cattle and horses, as well as of their stowage and treatment during the voyage.

The breed of
cattle and
horses.

Your Grace will observe by the Commissary's report of the remaining provisions and the resources of the colony for grain and animal food what we now possess. This, as far as it relates to those whom it is absolutely necessary for the Crown to support may be extended by purchasing from settlers the deficiency of grain and some fresh meat to issue in lieu of salt. And by the return of stock it will appear that little or no supply can be furnished from that resource for the present, as the females must be reserved for breeding stock, and the males, as they grow up, for Government labour, and to supply a few of the industrious part of the settlers with laboring oxen. However, from the present appearance, I hope in three years more we shall begin issuing beef from Government stock; but even then it must be done very sparingly.

The supply
of grain and
meat.Conserving
the stock.

The fresh meat purchased from settlers for Government use has cost 1s. 7 lb., but Governor Hunter has lately reduced it to 9d. The salt meat sent from England by the whalers does not

The price
of meat.

* The return will be found on p. 118, ante.

1800 stand the Crown in more than $7\frac{1}{2}$ d. per lb.; perhaps the loss on
 28 Sept. issue may bring it to 8d. From this statement, I respectfully
 submit to your Grace's consideration that to avoid killing the
 breeding and labouring stock (which has been brought here at
 such an immense expence) for the want of animal food, and to
 reduce the price of that necessary of life among the inhabitants,
 as well as to allow the stock of horned cattle and sheep to increase,
 I would humbly propose that two years' salt provisions for the
 number victualled, i.e., 2,326, full rations may be sent in the
 Buffalo, if she returns to this country; and as I intend on my
 taking the command to offer the settlers 6d. per lb. for two years to
 come for any swine's flesh they may supply the stores with, I hope
 that offer will produce an exertion in rearing that kind of stock
 which, from the great abundance of maize, I have no doubt will
 succeed equally as well here as at Norfolk Island, where never
 more than 6d. per lb. has been given, and that has continued for
 the last five years. Proposals have been made by some individuals
 on Norfolk Island to supply the stores here with salt pork at 6d.
 per lb., provided Government furnishes salt and a vessell to bring
 it over. This, your Grace will observe, is 2d. per lb. cheaper than
 it can be sent from England. But as the little salt made here
 by individuals is 6d. per lb. (Government never having made any)
 no answer can be given to that proposal for the present. As I
 have instructed Major Foveaux of the method by which salt is
 made by evaporation by the sun and air (and shall attempt it
 here), I hope that obstacle will be removed, and that we shall
 obtain that necessary article. From all which, I respectfully
 conclude that if the two years' salt meat is sent out, and that
 the settlers use their means to supply the stores with fresh meat
 at 6d. per lb., and that the making of salt succeeds, we may in
 the course of three years need but little supplies of salt meat from
 England. Not possessing any knowledge of the state the wild
 cattle are in, I must refer your Grace to the information
 Governor Hunter will give on that head until I am able to speak
 from my own knowledge.

From the documents referred to in the preceding part of this
 letter, your Grace will be enabled to judge how long our present
 and future resources of grain and animal food will last for those
 supported by the Crown, and also such other calculations as I
 conceive your Grace ought to be possessed of, and from which an
 idea may be formed of the probable sum that may be necessary to
 make out the full ration during the next year, which I hope will
 not be exceeded, and I trust that from the arrangements I shall
 find it necessary to make that the expences for the present num-
 bers in the colony will be considerably lessened in another year,
 and in order to give every degree of clearness and publicity to
 these transactions I have framed my instructions to the Commissary

in such a manner as to remove the possibility of any collusion being practised. As the Commissary (on whose conduct the whole of the public economy in this colony must necessarily depend) has never been furnished with any particular instructions, except through the daily General Orders or verbally, I have enclosed* a copy of the instructions I shall find it necessary to give that officer on Governor Hunter's departure, as well as my instructions to Major Foveaux (who I have appointed to act as Lieutenant-Governor of Norfolk Island† until His Majesty's pleasure is known), which I framed from His Majesty's instructions to Governor Hunter, and such communications as I had with Mr. Secretary King previous to my leaving England, and if I have assumed any unallowable terms therein, or in any part of my public correspondence with Governor Hunter (which I have the honour to forward in my separate letter),‡ it has been drawn from me by the present situation of people and things in the colony, and as such I hope will meet your Grace's indulgence.

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28 Sept.

The Commissary's instructions.

Lieut.-Governor Foveaux.

No further progress has been made here in manufacturing cloth or linnen than the samples which I understand Governor Hunter takes home with him. Until now it appears that this necessary work has been prevented by the want of flax seed and manufacturers. These wants will now be removed, as a quantity of seed has been saved from some sowed last year, and a small quantity I brought with me, which is now growing on two acres of ground. Some good workmen are among the Irish convicts lately brought here, which will in some measure make up for the loss of the weaver who was drowned on the passage. Four men, i.e., two flax-dressers and two weavers, convicts for life, have been selected to conduct that manufacture; and as I have made their emancipation the eventual reward of bringing that manufacture to perfection, I shall not trouble your Grace with any application for another weaver being sent out for the present, until I can find whether these people conduct it in a satisfactory and productive manner. I shall omit no opportunity of promoting and forwarding this necessary manufacture (which will require several men and all the female convicts that can be procured) when the flax now growing is fit to be worked, and that we can collect the native flax, which I am told grows in great abundance on the banks of the Hawkesbury River, and I hope that from the arrangements that will be made in the establishment of the Orphan House, which I have stated in my separate letter C,§ that a number of spinners and other useful hands will be procured. And as the introduction of a breed of Spanish sheep into the flocks of individuals has so much improved the fleeces that there is a promising

Manufacture of cloth and linen.

Cultivation of flax.

Flax dressers and weavers.

Flax at the Hawkesbury.

Spanish sheep.

* Enclosure No. 5, post, p. 191. † See Major Foveaux's instructions, ante, p. 98 *et seq.*

‡ This correspondence is enclosed in Governor King's letter to the Duke of Portland, dated 28th September, 1800, ante, p. 166. § Ante, p. 183.

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appearance of a great quantity of wool being produced in a few years, a great benefit will arise to the colony hereafter in the article of cloathing. But I am sorry to say, from the wretched state in which the sheep belonging to Government are in, that it will be some time before any advantage of that kind can be obtained from them, as they are mostly of the Cape breed, whose covering is hair. But I beg to assure your Grace that no efforts of mine will be wanting to encourage and promote the Spanish breed.

The whale fishery.

As the merchants in England who carry on the whale fishery are now satisfied that the spermaceti whales are equally, if not more, plentiful on this coast than they are on the coast of Peru, I presume they will continue sending the greater part of their ships here, particularly in the time of war. Much advantage will arise to this colony, not only from the frequent intercourse it will produce between it and England, but also the advantage of bringing convicts and stores out on lower terms than have hitherto been paid. I need not inform your Grace that by the Act relative to the southern fishery the owners are prohibited from sending any articles of commerce in their vessells beyond the Cape, which regulation deprives the inhabitants of this colony of the advantage of purchasing the articles they might need from these ships at a moderate rate, and the owners would find it advantageous to send small investments of the articles necessary for the consumption of the inhabitants, if the clause of the Act did not restrain them. How far the proposal of such an alteration in the Act in favor of the inhabitants of this colony and of the whale fishery might be admissible, I must humbly submit to your Grace's wisdom. At present the very few things that are brought for sale by these vessells come so exceedingly high that seldom less than 150 per cent. is charged by the masters on the English price. These articles are generally the overplus of their stores.

Statutory restrictions.

Whalers as traders.

As the discharge of my duty will occasionally require my going to different parts of the colony, where I may be detained from various causes, and not having any assistant to whom I can confide the direction of the public affairs at Sydney during these absences, I humbly beg leave to submit to your Grace's consideration the necessity of the appointment of Lieut.-Governor being renewed; and as Lieut.-Col. Paterson informs me that such an appointment was in contemplation for him before he left England, I have taken upon me to direct him to do that duty until I am honoured with your Grace's directions thereon.*

Appointment of a Lieut.-Governor.

A spirit of revolt.

I am much concerned to inform your Grace that the rumours of a troublesome spirit among the Irish lately sent to this colony for sedition (which existed before my arrival here) has lately proceeded to a very great height, and according to much corroborating

* See Governor King's General Order of 29th September, 1800, post, p. 208.

evidence, given to a committee of officers, civil and military, appointed to investigate the business, there is much reason for apprehending that the principal people among them have been irritating the restless disposition of these people, which has not a little been aggravated by the artifices of Harold, the priest, and several others. In consequence of the report of the officers on the committee (which Governor Hunter is possessed of, as well as their opinion), he published a proclamation, offering a pardon to those who had been deluded, none of whom have taken advantage of it; the principals, who are more than suspected of being ringleaders, are sent in the colonial schooner to Norfolk Island, Governor Hunter having promised to convoy this vessel to the island. The number of seditious people sent from Ireland since the late disturbances in that country is 235, exclusive of the Defenders sent out in 1794, and many other Irish who have been sent out for felonies.* Their whole number amounts to about 450. What other adherents success might give them, I am unable to form an opinion of, but I do not think it would be many. The necessity of precaution and being upon our guard, has rendered it necessary to embody an armed association, agreeable to the enclosed copy of Governor Hunter's general order.†

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28 Sept.

The ring-leaders sent to Norfolk Island.

Irish convicts.

An expence will attend this necessary addition to our armed forces of the private rations and cloathing which the stores will furnish them with. The soldiers' barracks are securing by palisading, &c., which, with some other defences that will be necessary, must divert the public labour for some time from cultivation on the public account; but I hope ere long to find that, altho' these precautions are highly necessary at the present moment, yet that no cause for alarm will exist much longer, as I have the fullest confidence in the loyalty and zeal of His Majesty's officers and soldiers and the greater part of the inhabitants.

The first Volunteer Force.

These circumstances I hope will excuse a repetition of my request that the officers now going home with Governor Hunter may be ordered to rejoin the Corps as soon as possible, and that the Buffalo, or some other of the King's ship, may be ordered to this station as soon as possible, as I am uncertain of the Porpoise's fate, that ship not being arrived yet.

Officers to return speedily.

Should this spirit of restlessness still exist, which I shall do my utmost to prevent, it will become necessary to remove a great part of the insurgents to another establishment which may be formed at Port Stephens, that place being in the vicinity of the Coal River; but as a small civil and military establishment would be necessary for that purpose, which our numbers will by no means admit of, I humbly beg leave to apprise your Grace of what may be necessary,

Distributing seditious convicts.

* That Governor King did not regard all the Irish convicts as unworthy of his favour is evident from his letter to the Duke of Portland, post, p. 463. See also Lord Hobart's reply, dated 28th August, 1802.

† See Governor Hunter's General Order of 6th September, ante, p. 131.

1800 that it may be provided for if it should meet your approbation
28 Sept. have done myself the honour of stating my ideas on this head
separate letter, which I humbly submit to your Grace's consideration

I have, &c.,

PHILIP GIDLEY KN

[Enclosure No. 1.]

Population
statistics.

RESULT of General Muster of all the inhabitants in His Majesty's territory of New South Wales, taken by Lieut.-Gov. King and other officers, by order of His Excellency Governor Hunter, from the 18th day of July to the 15th of August 1800, previous to Governor Hunter giving up the command.

DISTRIBUTION of free men and male convicts not holding ground by or lease, and supported by the Crown.

	Nature of Employments.	Sydney.	Parramatta, Toongabbee, and George's River.	Hab b
Agriculture.	Overseers	16	10	
	Agriculture on the public account .. .. .	..	30	
	Care of Government Stock	12	38	
	Total	28	78	
Buildings.	BUILDINGS.			
	Brick and tile makers	44	1	
	Bricklayers, plaisterers, and labourers	29	10	
	Blacksmiths and labourers	29	16	
	Shingle, pale, and lath splitters	8	6	
	Brick and timber carriages	22	17	
	Stone-cutters and layers	17	18	
	Sawyers and timber measurers	8	11	
	House carpenters and labourers	23	18	
	Painters	2	..	
	Lime and charcoal burners	11	12	
	Total	193	109	
	BOAT BUILDERS.			
	Carpenters, shipwrights, and caulkers	15	..	
	Labourers, watchmen, and clerk	6	..	
	Blacksmiths, sawyers, and rope makers	14	..	
	Total	35	..	
Miscellaneous.	VARIOUS EMPLOYMENTS.			
	Making roads .. .. .	..	17	
	Taking care of Government huts .. .. .	..	22	
	Wheelwrights, millwrights, and labourers	4	12	
	Armourers, town clerks, printers, and bailiffs	4	2	
	Basket and broom makers	3	3	
	Flax dressers, wool carders, and weavers	4	6	
	Millers	4	2	
	Schoolmasters, sextons, and bellmen	3	6	
	Musical instrument makers and marker at billiards	2	..	
	Writers or clerks	5	2	
	Coopers, farriers, and wire drawers	3	2	
	Granary, provision stores, and clerks	14	10	
	Executioners, gaolers, and chimney sweepers	3	2	
	Sadlers, watchmakers, and fishermen	4	..	
	Natural history painters, and botanist	2	

* See also the tabular statement on p. 160, ante.

A GENERAL MUSTER.

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Distribution of free men and male convicts—continued.

1900

28 Sept.

Nature of Employments.	Sydney.	Parramatta, Toongabbe, and George's River.	Hawkes- bury.
VARIOUS EMPLOYMENTS—continued.			
Tanners, tool helpers, and thatchers	3	3	..
Bakers .. .. .	..	2	..
Blind, insane, and invalids	3	4	..
Pilots	2	..	..
Boats crews	15	1	..
Govt. Gardens and Govt. House at Parramatta	5	7	..
Francis, schooner, and Norfolk, sloop	14	..	..
Lent to the Martha, and miners searching for coals	3	..	2
Town gang	12	36	..
Gaol gang	19	..	..
Constables and watchmen	36	27	4
Carrying water for guards	3	2	1
Attending hospital	21	6	..
Sick and convalescents	25	10	..
Tailors, shoemakers, and barbers	20	13	1
Total	236	199	12
SERVANTS.			
To 51 commissioned officers, civil and military (in- cluding superintendents and 4 officers at Norfolk Island)	122	113	25
To non-commissioned officers of N.S.W. Corps	22	3	1
To overseers, constables, and freemen doing Govern- ment work—as artificers	28	16	10
To settlers	7	61	29
Convicts, &c., who do no Govt. labor (their servants)..	16	10	..
Total	195	203	65
Totals.			
Overseers, stock-keepers, and employed in agriculture	28	78	1
Artificers, and employed in buildings	193	109	8
Shipwrights and boat builders	35	..	..
Various employments	236	199	12
Servants to officers, &c.	195	203	65
General total	687	589	86

Servants.

Totals.

DISTRIBUTION of free women and female convicts not holding ground by grant or lease, and supported by the Crown.

Nature of Employments.	Sydney.	Parramatta, Toongabbe, and George's River.	Hawkes- bury.
At different works on account of Government—i.e., flax, picking oakum, spinning, and picking weeds	57	40	..
Nurses	22	..	..
Sick	9	..	..
Ten women allowed to each company of the New South Wales Corps	60	13	4
Midwives	2	1	..
In gaol	2	..	..
Allowed to officers	31	32	4
Who do no labour	157	162	70
Total	340	248	78
Children victualled from the stores	480	221	183
Total	820	469	261

Females, free
and bond.

Children.

1800

TOTAL numbers in the Colony as appeared at the muster, viz. :

28 Sept.
Total population.

	Men.	Women.	Children.
Civil and Military	476	16	20
Settlers, &c., holding lands	388	14	..
Free people and convicts	2,171	941	916
Total	3,035	971	936

[Enclosure No. 2.]

Price of
labour

THE rate of payment for the undermentioned labour among the settlers and free men was established by Governor Hunter's Public Orders, dated 10th March, 1797.* The following prices are now demanded and paid by the settlers, and have been for a long time past, viz. :—

	Price paid July, 1800.	Established rate.
	£ s. d.	£ s. d.
For falling, burning off, and breaking up an acre of ground.	5 3 0	2 18 0
Reaping wheat, per acre	{ 0 13 11 Parramatta	} 0 10 0
Sawing plank, per hundred feet	{ 2 11 6 Hawkesbury	
Day's wages with board	1 1 3	0 7 0
	0 5 0	0 1 0

and commodities.

The following are the prices at which articles are retailed out to the settlers by dealers and their agents, viz. :—

	£ s. d.	£ s. d.
Bohea Tea from	1 18 0	to 2 6 0 per lb.
Sugar ,	0 2 1	, 0 2 8 ,
Soap ,	0 4 2	, 0 6 0 ,
Tobacco ,	0 10 4	, 0 13 3 ,
Spirits of a bad quality... .. ,	0 10 0	, 1 0 0 per wine bottle.
Men's shoes ,	1 6 0	, 1 10 0 per pair.

The settler having no other means to pay for the above labour and price of articles, than the produce of his farm (the prices of which are fixed by the rate they are taken into the stores) is the only sufferer in the above exorbitant demands.

PHILIP GIDLEY KING.

[Enclosure No. 4.]

Proposed
additions to
civil staff.

RETURN of Officers proposed to be added to the Civil Establishment of His Majesty's territory of New South Wales.

Names.	Present Appointment.	Appointment proposed.	Salary.
William Paterson	Lieut.-Col., New South Wales Corps.	Lieut.-Governor of the Territory.	£ s. d. 250 0 0 pr. an.
Edward Abbott ..	Captain in do.	Engineer and Artillery Officer, superintending the Defences.	Submitted to pleasure.

* See Hunter's Order, vol. iii, p. 196.

THE CIVIL OFFICERS.

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[Enclosure No. 4]—continued.
RETURN of Officers of the Civil Department present in the execution of their offices, or absent, &c., in His Majesty's territory of New South Wales, 30th September, 1800.

Names.	Appointment.	Present in the execution of office, or cause of absence.	Name of person performing the duty.
Captn. J. Hunter	Governor	Absent by his Majesty's command.	Capt. P. G. King.
Captn. P. G. King	Governor	Present	
Richd. Dore	Dep'ty-Judge-Advocate	Present	
John Palmer	Commissary	Absent; Gov. Hunter's leave.	Thos. Laycock, Dep'ty-Com'y.
James Williamson	Deputy-Commiss'y	Do	
Thomas Laycock	Do	Present	
Thomas Smyth	Provost-Marshal	Present	
Niel McKellar	Secret'y to the Governor	Present	
Revd. Richd. Johnson	Clergyman	Absent; Gov. Hunter's leave.	Revd. Saml. Marsden.
Revd. Saml. Marsden	Do Parramatta	Present	
Willm. Balmain	Principal Surgeon	Present	
James Thomson	Mate	Present	
D'Arcy Wentworth	Mate	Present	
James Mileham	Mate	Present	
Martin Mason	Assistant do	Present	
Augustus Alt	Surveyor of Lands	Has done no duty these five years from infirmity.	Mr. Chas. Grimes, Deputy-Surveyor.
Thomas Moore	Boatbuilder	Present	
	Clerk to Commissary	Absent; returning with Commissary Palmer.	David Dickinson Mann.
	Two storekeepers and nine superintendants.	As per superintend'ts list in general letter, No. 2, sent herewith.	

PHILIP GIDLEY KING.

1800
 28 Sept.
 The civil staff.

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28 Sept.

[Enclosure No. 4]—continued.

RETURN of Civil and Military Officers who do the following Extra Duties, for which they receive no salary from the Crown.

Names.	Appointments.	Extra duties they perform.	Remuneration.
Rev. Saml. Marsden	... Clergyman ...	Acts as a Magistrate, and superintends the Public Works, &c., &c., at Parramatta and Toongabbe.	Has the labour of five convicts assigned him for the magistrate's duty, and the same number for superintending public works, &c., immediately under the Governor and in his absence.
Charles Grimes	... Deputy Surveyor ...	Acts as Magistrate, and superintends Public Works at Hawkesbury.	Has the above allowance.
William Balmain	... Principal Surgeon ...	Magistrate at Sydney ...	Has the labour of five convicts.
Richd. Atkins	... Registrar of Exports and Imports.	Magistrate at Parramatta ...	Has the labour of five convicts.
John Harris	... Surgeon of the New South Wales Corps.	Magistrate at Sydney ...	Has the labour of five convicts.
Thos. Arndell	... Superannuated Surgeon's Mate.	Magistrate at Parramatta ...	Has the labour of five convicts.
Neil McKellar	... Secretary to the Governor ...	Aide-de-Camp ...	Has the labour of seven convicts.

[Enclosure, No. 5.]

1800

INSTRUCTIONS to the Commissary by Captain Philip Gidley King, Governor-in-Chief, &c., &c., in and over His Majesty's territory of New South Wales and its Dependencies, 28th September, 1800.

28 Sept.

IN consequence of my instructions, you are hereby required to conform to the following directions for your conduct :—

1st. You are to be present yourself as much as possible, and controul the receipt and issue of all stores and provisions into and from His Majesty's stores ; and as you are answerable for the conduct of those under you and about the different stores, if you should have any cause to be dissatisfied with their conduct in discharge of their duty you are to report the same to me, when a proper notice will be taken thereof.

The
Commissary
to attend in
person.

2nd. You are not to receive or issue any articles whatever, either public or purchased, into or from the stores, but by a written order from me, delivering me an account thereof, on the receipt or issue having taken place, taking care to comply with all such general orders as I may judge necessary respecting your department.

To act only
on written
order.

3rd. When any grain or animal food raised by those at government work, or received from England or elsewhere, is delivered into your charge, you are to furnish me with a particular receipt for it, specifying the place and person you received it from, charging yourself with it as provisions received for the public use, and to observe the same with respect to all stores belonging to the Crown, and to deliver the quarterly accounts of the expenditure and the remains thereof, or oftener, if required.

Receipts to
be fur-
nished.

4th. When there is not a sufficiency of grain and animal food raised by the convicts at public labour for the use of those necessarily maintained by the Crown, and that it becomes necessary to purchase the deficit required from the settlers, you are to give me an account of the quantity that may be absolutely necessary weekly, or at a stated period, but not to require more grain at a time than can be kept from the weevil. After my approval thereof, and the price at which such articles are to be purchased is fixed, you are to give public notice thereof, and open a list at the different settlements for the insertion of those persons' names who can spare any quantities of the articles required from the reserve necessary for seed and their own use ; such persons being freemen, possessed of ground and known cultivators, are to be regularly entered on the list in preference to any other description of persons, as they offer themselves, and their required produce to be received in the stores without any preference or partiality. The grain thus purchased is to be measured at such times as I may direct in front of the storehouse, and from thence lodged in the store in the presence of a superintendant and another creditable person. When the receipt

Purchasing
food from
settlers.

Lists to be
opened.

Free settlers
to have
preference.

1800
28 Sept.
 Mode of receipt.

is ended for the day, a return thereof is to be made the next morning to me, specifying the person's name and quality from who it is received, the superintendant and other witnesses attest the same, one or both of whom are to sign their names to the witness column in the voucher when payment is made.

Irregularity in payment.

5th. Being particularly directed to reform the irregularity that has existed in the mode hitherto followed in making payment for such articles as have been purchased from the inhabitants for the public use, the persons who take your printed receipts, audited by me, for their respective produce being lodged in the stores, must transfer them from one to another for their accommodation; and such receipts to be called in as often as I may judge proper, when payment will be made by me of all outstanding receipts by a bill on His Majesty's Treasury for the amount of such receipts as must be in the hands of individuals, such bills not to be drawn for less than £100, and the vouchers in support thereof to be verified by liquidating your receipts in rotation. And whenever such payments are made you are to take care that five complete sets of vouchers with their documents, agreeable to the annexed form, be prepared to be signed before me at the time of payment being made, which I am directed to control and superintend.

Purchasing stores from shipowners.

6th. When it is absolutely necessary for any stores, clothing, or provisions being purchased from masters of ships, or other strangers, after the price is regulated by two proper persons on the part of Government, and the same on the part of the proprietors, the Commissary will be ordered to receive such articles into the stores in the presence of two respectable witnesses, who are to sign the vouchers, two of which are to be delivered to me with the proprietor's receipt for the payment, witnessed by two other respectable persons.

Accounts and vouchers to be sent home yearly.

7th. As I am directed to forward my account current, made up to the 10th of October annually, with the Right Hon'ble the Lords Commissioners of His Majesty's Treasury, to the Inspector General of Public Accounts, under cover to His Majesty's Principal Secretary of State for the Home Department, you are therefore not to fail in delivering to me, on or before the 10th day of October, for my inspection and auditing, the following books and papers in support of your account current with the Lords Commissioners of His Majesty's Treasury, together with the surgeon's account of the expenditure of stores and necessaries received from you, in order that those accounts may be sent within mine by the first opportunity after the above date, viz. :—

A victualling book to be kept.

First.—A victualling book, containing each man, woman, and child's name that has received any provisions from the stores during the year, distinguishing those in the different rations.

- Second.**—A clothing and slop-expenditure book, for those supported by the Crown, expressing as above. 1800
- Third.**—A book specifying the receipts of stores, provisions, and clothing from England or elsewhere, belonging to the Crown, also the quarterly expenditure thereof, and remains at the time of making up the public accounts, which is to be distinctly stated and carried over to the next year's account, as a charge. 28 Sept.
Account of clothing.
Goods and stores from England.
- Fourth.**—A book of the particular expenditure, and the application of the above described provisions and clothing issued by you during the year, to those supported by the Crown, also another book stating the expenditure and application of the above described stores issued by you for the use of the public, and signed relatively by the superintendent, overseer, or other person to whom they have been delivered. Stores and clothes issued.
- Fifth.**—A store purchasing book, specifying the different quantities of grain and animal food bought from settlers, &c., noting the time of purchase, quantity, and application thereof, with a reference to the proper vouchers in support of the receipt and payment, which documents are to be annexed to this book. Food purchased from settlers.
- Sixth.**—A similar book to the above, specifying the different quantities of stores, &c., purchased from masters of ships, or other strangers, verified by proper vouchers, &c., as last above, to which book you are to annex the general expenditure thereof and remains at the time of making up the public accounts, which is to be distinctly stated; and carried over to the next year's account as a charge. At the end of this book you are to insert whether such articles have been paid for in grain, meat, or money, and to debit yourself accordingly, either in your account current of cash, or store account, and to charge yourself in the same manner with any other payment made to you on behalf of the Crown. Stores purchased from shippers and strangers.
- Seventh.**—A list of all births, deaths, and absentees during the year. Births and deaths.
- You are not to fail (on peril of being subject to an exchequer process) in delivering me for my examination all the above books and papers, with every other explanatory document, on the thirty-first day of October, annually, which accounts you are to attest before me previous to my transmitting them to England, and you carefully to preserve correct copies thereof, in case of any accident happening to those sent to England. You are to keep an Returns to be sent home.

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25 Sept.

open list in your office, containing the names of each class of people in the colony, according to the form you are provided with, in which you are to make regular entries and discharges as they occur.

General returns.

Eighth.—Exclusive of the above papers, when any ship going from hence to England, you are to furnish me with a general return of the inhabitants, according to the annexed form, also a return of the expenditure and remains of Government stock.

Issuing provisions to the inhabitants.

Ninth.—The issue of provisions is to be attended by a superintendent, or principal overseer, and a non-commissioned officer, for the purpose of detecting and reporting any improper proceedings; but no report will be attended to that is not made on the day of the issue. A weekly victualling and store-issue book are to be kept at each store by the person who has charge of it. No persons whatever are to be put on or off the store but by a written note from me, or by a note from the person who has the superintendence of the district where the stores are. The master carpenter, and every other description of persons that has charge of the workmen supplied with materials from the different stores for the public use, well as such individuals as are allowed to receive the indulgence, are to apply for the orders on Monday mornings, and to give receipts for the same to the Commissary, delivering an account of the expence there to me weekly. By this regulation, the necessity of persons frequenting the stores on the intermediate days between stores and victualling issue will be prevented and the stores properly appropriated. The different storekeepers are to deliver you a weekly return of the expenditure and remains, keeping the same ready for my inspection when required, and you are to furnish me with a quarterly return of Government stock, charging yourself with any that may be killed and issued as ration, accounting for it under the head of provisions raised by those at public labour. And as it is necessary the Deputy-Commissaries and storekeepers at detached places should be supplied with regular directions how they are to conduct themselves, you are to furnish them with such parts of these Regulations as relate to their duty, and you are to direct them to deliver their returns and receipts to me, if I should be on the spot, or to the officer who has the direction of the public concerns in the district where they are stationed.

Returns for public use.

Miscellaneous returns.

Deputies to be instructed.

PHILIP GIDLEY KING.

In addition to the above instructions, the Commissary will give directions to the Deputy-Commissarys and storekeeper to obey all such directions as they may from time to time receive from the Reverend Mr. Marsden, at Parramatta, and Charles Grimes, Esq., at Hawkesbury, reporting to him all such orders on the day they send their weekly returns.

1800

28 Sept.

Marsden at
Parramatta.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord,

28th September, 1800.

In the event of the government of this territory being continued to me, or to any other person on whom His Majesty may be pleased to confer that honor, I beg leave most humbly to request: That as Governor Hunter takes the Buffalo (which was purchased for the service of this colony) to England, that she may be returned to this service if it meets your Grace's approbation; and, as that ship and the Porpoise must be commanded by naval officers, I beg most respectfully to suggest the necessity of the command being continued (as first captain, or as captain of one of them) in the Governor, being a captain in His Majesty's navy, to avoid the inconvenience of those ships not being subject to the Governor's orders in this distant part of His Majesty's dominions.

The naval
command.

As no naval lieutenant remains here to take the command of the Porpoise on her arrival, Mr. Scott (a master in the navy) will retain the command of that ship. The services required of those ships will be to bring another cargo of cattle from the Cape of Good Hope, and, if practicable, to carry coals there; also to send to Norfolk Island occasionally in lieu of hiring vessels, and as a guard to the settlement. All which I humbly beg leave to submit to your Grace's consideration, and have the honor to be, &c.

Cattle and
coals.

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.*

Sydney, New South Wales,

My Lord,

28th September, 1800.

I have the honour to enclose Lt.-Col. Paterson's return† of the New South Wales Corps doing duty in this territory and its dependencies, by which your Grace will observe how few officers remain to do the duty of this colony. Five must always be on

The military
forces.

* Parts of this despatch are repetitions of paragraphs in other letters to the Duke of Portland of the same date. They are accordingly omitted.

† This return is not available; but from the tabular statement of the population of the colony, post, p. 213, it will be seen that the military numbered at this time 442, including officers, of whom 14 were commissioned and 60 non-commissioned.

1800 detachment at Norfolk Island, and as three captains are now
28 Sept. absent by the reasons stated in this return, I respectfully submit
to your Grace's consideration the propriety of those officers being
ordered to rejoin the Corps as soon as the cause of their absence will
admit of.

Lieutenant
Cummings.

The situation Lieut. Cummings has been in for these five years
past, not having done any duty in that period, owing to some
alleged misconduct of that officer, is of so singular a nature that
I have requested Lieut.-Col. Paterson to communicate that officer's
situation to His Royal Highness the Commander-in-Chief; and
I humbly hope such instructions will be forwarded to Lt.-Col.
Paterson or myself as may do away with the existing incon-
venience felt by Lt. Cummings and the other officers.

Court-
Martial.

The case of
Captain
Johnston.

In this place I consider it my duty to represent to your Grace
the embarrassing situation I am left in occasionally by the im-
pression made on the officers' minds that they are at liberty to
refuse being tried by General Courts-Martial for military offences
in this colony, as ordered by the Royal Warrant. This impression
has arisen from the circumstance of Captain George Johnston
having declined being tried by a General Court-Martial, which his
commanding officer applied for to Governor Hunter. That officer
returns to England, under arrest, in the Buffalo. Until I am
honoured with your Grace's opinion how far such a deviation from
the tenor of His Majesty's Warrant may be allowed of, I shall
consider it my duty to observe the instructions contained therein
and I humbly beg leave to add, that when your Grace considers
the decisive conduct I am directed to observe in enforcing obedi-
ence to His Majesty's instructions, I trust I may not be thought
presuming in my request of being honoured with your Grace's
commands on this head by the first ship.*

Barrack
furniture.

Understanding your Grace has directed the Barrackmaster
General to furnish a proportion of barrack furniture and utensils
for the use of the New South Wales Corps, and as they are totally
destitute of any kind of bedding or utensils whatever, I hope we
shall soon be able to supply them from those on the passage.

Soldiers'
pay.

As I presume Governor Hunter has represented his reasons for
directing the New South Wales Corps to receive their full pay
without any deductions on account of their rations, I respectfully
hope no responsibility may attach to me in continuing the same
until I receive your Grace's commands thereon.

The defence
works.

The defences of this place which I inspected with Lieut.-Col.
Paterson, consist of such cannon as there are in the colony being

* The Home authorities directed King to discontinue the practice of allowing officers to
insist on being tried by Court-Martial in England instead of locally. See Governor King
to Under-Secretary King, 28th September, 1800, post, p. 201; Paterson to Banks, 8th
October, 1800, post, p. 223; Brownrigg to Under-Secretary King, 3rd June, 1801, post,
p. 382; Brownrigg to Paterson, 9th June, 1801, post, p. 393.

placed so as to annoy an enemy coming up the harbour; but the principal battery at the west end of Sydney Cove, which mounts the guns as p. enclosure, and commands the whole length of the harbour, is in a state of great decay, by the embrasures filling up with the falling stones of which it is constructed. As this department requires the constant superintendence of an intelligent officer, I have, on advising with Lt.-Col. Paterson, appointed Captain Abbott to take the superintendence of that department, which will not be attended with any other public expence than such an allowance as your Grace may judge proper as a salary or pay to that officer.

1800

28 Sept.

There being two vacant ensigncies in the New South Wales Corps, and Gov'r Hunter having appointed Mr. Francis Barrallier and Mr. Robert Anderson to act in those vacancies until His Majesty's pleasure is known, I humbly beg leave to recommend them both to His Majesty's gracious approbation, the former of whom is son to one of the surveyors of His Majesty's Navy.

Ensign
Barrallier.

* * * * *

If more people are sent here for sedition, or a much greater number of convicts, or that the refractory Irish still continue their restlessness, I respectfully beg leave to submit to your Grace's wisdom the propriety of another settlement being formed at Port Stephens, about thirty-five leagues to the northward of this place. The harbour is safe, and the land about it good, but its greatest recommendation would be the vicinity to the places where there is such an abundance of coal. Unless I find it absolutely necessary I shall not take this step without your Grace's approbation, and if approved of, I respectfully beg leave to submit the following as a proper civil and military establishment for that place, viz. :—

A new
settlement
proposed at
Port
Stephens.

A captain of the New South Wales Corps, to have a Colonial appointment as commandant; and as his attention to the public duties of the settlement would be an extra duty, I should recommend his having at least 10s. a day.

Establish-
ment of the
intended
settlement.

A surgeon's assistant at £91 p. annum }
A deputy-commissary £91 p. annum } To be added to the
Two superintendants £50 each p. annum } establishment of
the colony.

A company of soldiers from the New South Wales Corps which cannot be detached from hence until an augmentation takes place, and about 300 convicts, if a great number are sent out here, which I presume will be the case when a peace takes place.

I have, &c.,

PHILIP GIDLEY KING.

1800
28 Sept.

[Enclosure.]
RETURN of Guns and State of the Batteries at Sydney, New South Wales, Oct'r 1st, 1800.

	Davies's Point or West Battery.		Bennalong Point or East Battery.		Windmill and Middle Hills.		Garden Island.		Gort. House, Paramatta.		Barrack Parade.		No. of Shot.
	Caliber.		Caliber.		Caliber.		Caliber.		Caliber.		Barrack Parade.		
	12-p'r.	6-p'd.	12-p'r.	6-p'd.	12-p'r.	6-p'd.	12-p'r.	6-p'd.	12-p'r.	6-p'd.			
Serviceable.....	8	2	10	..	4	4	4	2	2	2	2	2	74
Unserviceable .....	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	8	2	10	..	4	4	4	2	2	2	2	2	74

	Remarks.		Recapitulation.				
	West Battery.	East Battery.	Field-pieces.		12 p'r.	6-p'r.	Gun-carriages.
			Serviceable ..	Unserviceable	4	8	12	20
			4
			Total		4	8	24

This battery consists of 10 guns, and 14 embrasures formed of stone and earth miserably put together, with a parapet of twelve inches as under, and a breastwork four feet four inches high; the whole in such a state that many parts of the work fall to pieces when the guns are fired.

This battery consists of 4 guns, and 6 embrasures formed of wattle, casks, and earth, in a total state of decay.

Garden Island.

The trucks of the guns are buried in the sand and rotten. The carriages of the field-pieces at Government House and Paramatta are both unserviceable.

N.B.—Some of the guns and carriages require painting, and one apron wanted.

GOVERNOR KING TO UNDER-SECRETARY KING.

1800

Sydney, New South Wales,

28 Sept.

28th September, 1800.

Sir,

I wrote you by the *Friendship*, in which I informed you that I arrived here the 15th of April last,* since when, until this time, I have spent the most disagreeable and provoking part of my life. The time that I have been here, before I took the command, I hope has been past with some advantage to my future situation, but it has been painful in the extreme to me. As Governor Hunter judges proper to take the *Buffalo* to England, I can have no objection, or any that I might have would be useless; but I hope she will not be looked on as a colonial ship. It is now three years since she was ordered for the service of the colony, and during that time has brought about 150 head of cattle on Gov't acc't. This, if calculated by the wear and tear, expence of purchase, &c., will make each head amount to a pretty round sum.

King and Hunter.

The Buffalo.

By my correspondence with Governor Hunter, which I have found it necessary to transmit in case he brings any part of it forward, you will observe the causes that led to the explanations he requires respecting a paragraph in my letter to the Duke of Pd by the *Friendship*.† You will, in the course of my despatches, observe not only that unwarranted responsibility which I have been obliged to take upon myself for want of such instructions as could not be furnished me, but also many other additions, which I have made in my instructions to Major Foveaux,‡ who commands on Norfolk Island (which I certainly formed for my own conduct, in addition to the King's original instructions to Governor Hunter). This and the orders I shall be obliged to give out (stated in my despatches) and in force here, has been drawn, however, by the situation I have found every person and public concern in, which requires not only the most decisive measures being followed to gain any reform, but also some degree of fortitude to bear the secret and open opposition I must prepare to meet with. It was an early persuasion of this, and that things would not get better as long as Governor Hunter remained (being recalled) that operated with me in making the remark alluded to, which I had no other meaning in than to hasten Governor Hunter's departure (altho' without effect), that a promptness might be given to the execution of the plan I was recommended to pursue. I must confess it would have been more satisfactory to me to have been provided with written documents for my guidance;§ but, even if I had, there are many circumstances

Correspondence with Hunter.

King without instructions.

Necessity for decisive measures.

An explanation.

* See King to the Under Secretary, ante, p. 83.

† See Hunter to King, 8th July, 1800, ante, p. 171, in which he quotes from King's letter to Portland of 29th April, 1800, ante, p. 78.

‡ King's instructions to Major Foveaux will be found on page 98 *et seq.*, ante.

§ Governor King's commission and instructions were not made out until the year 1802.

1800

23 Sept.

King acting
without
instructions.

Reforms.

Cultivation
on public
account
neglected.

Reduction
of expenses.

Articles for
sale
required.

The Com-
missary's
report.

Importation
of English
cattle and
horses.

that could not have been foreseen. I have, therefore, found it necessary (and shall find it still more so) to assume a responsibility which I hope the situation of people and things in this colony will sufficiently atone for.

To enumerate the details that press for an immediate reform would be going into a very long history, and which can only be developed by the alterations I shall be obliged to make, and its consequent good effects. Since I have been here my time has been employed in making such enquiries as are necessary, and in taking accurate musters of the inhabitants, which are detailed in my despatches. By this you will observe how few people have been employed at cultivation on the public account, and how many are supported by the Crown. Since that time I have made a reduction in the numbers victualled, which will decrease the expences at the rate of £10,000 per annum in the expenditure of provisions; and as the people put off the stores are those whose labor was no ways to the public advantage, that reduction is a sum entirely saved to the public; and I hope that many other arrangements that will be made will greatly lessen the expences; at least, it will be my study to promote that end, as I have, nor shall not have, any other object to withdraw my attention. Discharging these from the stores (altho' a great saving) who do no public work is not the only means for establishing public economy; there are many other wheels to put in motion to do away the infamous proceedings of dealers, which will, I hope, restore confidence among all descriptions of people. But this will greatly depend upon my being furnished with the means of *supplying the wants of individuals* through the medium of Government's supplying the colony with those necessary articles for sale which are now bought and sold at a most oppressive price; and altho' the regulations I shall follow up will greatly do away the monopolies and scandalous practices that have existed, yet, by that plan being carried into execution, a great saving will arise to Government by the extra price put on the articles, and even then the individual will get it at 500 or 600 per cent. cheaper than they do at present. The Commissary's report of remaining articles will speak for itself, and our list of absolute wants, which I hope and trust will be soon supplied, if the Buffalo returns to this country again. In my dispatches I have recommended a few cattle and mares being sent out. The breed we have now is miserable. Perhaps three good cows, two bulls, four strong bony mares of the Clydesdale breed, and two stallions, will be taken more care of than a greater number, and not take up too much room, and the rest of the ship could be appropriated for other purposes. What I have said respecting my having the command of the King's ships in my separate letter to His Grace*, I hope for your support in forwarding,

* See Governor King to the Duke of Portland, ante, p. 195.

as circumstances render that appointment necessary in this colony. 1800
 The measure of discharging those from the stores who had no business on, and other preparatory arrangements, I perceive is drawing much rancour on me from all parties, and which some are artfully promoting; but I hope when the oppressed part are satisfied that my exertions are for their benefit that the intentions of those who have preyed solely on the vitals of Government and the settlers will be disappointed. By a return enclosed in this dispatch, and which you will observe by the entries and clearances, there has been upwards of—*gallons of spirits and—*gallons Spirits.
 of bad wine imported into this colony since the Walker arrived in November last (when the letters were sent respecting the officers trading, that Lieut.-Col. Paterson took with him); it is, sir, to this quantity of spirits, a great part of which is now selling at £6 per gallon, with which the colony has been inundated, that the settlers owe their ruin, and the approaching destruction of the colony. In my correspondence with Governor Hunter I have dwelt particularly on this circumstance. These evils I should most certainly have put a stop to if I possessed the authority. But, happen as it will, a stop must be put to these transactions, in doing which I have already and still have much more to encounter. However, I will do what appears to me right, and leave the rest to Providence, and the support that I hope will not be denied me at home. The correction of abuses. King's difficulties.

Among the passengers that go in the Buffalo with Governor Hunter is Captain Johnston, of the New South Wales Corps, who for the last four years has been Governor Hunter's aid-de-camp, and as such has had the entire direction of the people at Government labour. He goes home under an arrest, Colonel Paterson having applied to Governor Hunter for General Court-Martial on him, on the charges of paying spirits to a serjeant in part of his pay at an improper price, contempt, and disobedience of orders. As Captain Johnston objected to be tried by a General Court-Martial in the colony, this objection being admitted by Governor Hunter, he goes home with his charges, and the examination of witnesses on both sides. I am sorry that Governor Hunter refused his warrant for a General Court-Martial. If unfair proceedings were suspected in the members, or that they gave judgment contrary to evidence, the King's warrant to the Governor sufficiently provided against such proceedings, and he could have done what appeared to him just and proper; but at present this precedent will have the effect of the officers declining on every occasion being tried by a General Court-Martial here, which places me in a most embarrassing situation, as it is more than probable I shall have to exercise that part of my duty if they persevere in these dealings and traffic of spirits they have

Captain Johnston

returning to England under arrest.

Trial by Court-Martial.

1800
28 Sept.
Officers as
traders.

Captain
Kent.

Purchases
made by
King.

A litigious
officer.

Officers
returning to
England.

King anticipates
trouble.

Government
live stock.

hitherto been concerned in.* But there is one thing I must say on this point that however censurable Capt. Johnston may be on this account, yet I am persuaded that there is not an officer of the Corps or colony (except Governor Hunter and Colonel Paterson) who has not been guilty of similar transactions, by which the greater part have made sufficient fortunes to be indifferent about what happens to them. Captain Kent, who commands the Buffalo, and is Governor Hunter's nephew, of course goes in the ship. It is from him that I have made the conditional purchase of the house and grounds in Sydney as an asylum for the orphans and other children of the colony. If the necessity of this purchase should appear as necessary as it really is, and on which the future welfare of this colony greatly depends, and that the bill paid, he will be well recompensed for it. As the bills for this, well as the horned cattle belonging to Governor Hunter, Major Foveaux, and Captain Kent are only conditional, it will be optional whether the purchase is allowed or not. The Deputy Commissary (Williamson), who Governor Hunter brought on with him, and who has acted as Commissary since Mr. Palm went home in 1796, also goes home. Of this man the public service in the colony complain loudly of his peculiarities in his dealings. It is not my business to say it is true, but certainly as the actions before the civil court have him either as defendant or plaintiff. Should he return to this country, I hope he will not be allowed to bring a pedlar's pack with him. A Mr. Harrison who has been long returned from Norfolk Island, goes home with a tolerable round sum. Captain Johnston, who I have already mentioned, is the wealthy man of this colony. A Captain Prentiss also goes home, ordered on service by Governor Hunter, with the Rev. Mr. Johnston and his family, who has met with much persecution from Grose when he commanded here. When I mention these are rich men, or nabobs, I do not mean to say that they have not left less wealthy officers here. There does remain some, who I am shortly to have for decided enemies when I am in that situation that it is necessary I should put a stop to the proceedings. As a proof of what I say respecting these transactions particularly among the class of superintendents, you may recollect my informing you I was taking a man out with me in whom I thought I could place a confidence to take care of the public stock. On arriving here I found the stock in a very bad state and the superintendent who had charge of them being a worthless character, who had been tried for robbing the stores and a rap at my representation he was removed by Governor Hunter, as this man, who I brought with me, was put in this situation,

* See King's letter to Portland relative to this matter, ante, p. 196. Major Johnston not tried at the Horse Guards. He was ordered to return to the colony to be tried. also Paterson to Banks, 8th October, 1800, post, p. 228; Brownrigg to Under-Secretary King, 3rd June, 1801, post, p. 382; Brownrigg to Paterson, 9th June, 1801, post, p. 398.

which he certainly acquitted himself very well ; but, influenced by example and persuasion, he has entered into such speculations that, as he has neither property or credit to support it, must ultimately fall on the public property in his charge, which, at the estimation of £37 a head for cattle, is worth, viz.:—

755 head of cattle, large and small, at £37 a head	£30,935	Value of stock.
625 sheep at £2 10s.	1,562	
30 horses at £50 each	1,500	
	<hr/> £33,997	

I have therefore discharged him, and have appointed a very good man, who was storekeeper, and is universally recommended for his honesty and activity. He was with me five years on Norfolk Island, and I have every hope he will do well. He has a large family, and to put temptation out of his way, I have taken it upon me to increase his salary, which as a storekeeper was £50, to £100 a year, which was what you intimated might be done if a proper person could be found for that trust.* I hope I shall not be disappointed, but if I am I must go through the colony to find one out that will do. If I apply for one to be sent out, it is ten to one that some needy man is not recommended; therefore, I shall do the best I can without that application. I have mentioned this circumstance to show you how I shall be situated, and I shall think myself fortunate if I have not a similar contention with those of a higher rank in the colony; and as I have no other instructions than the King's to Governor Hunter, and the verbal communications I had with you, I must enter into many and great responsibilitys in the orders I give to attain the least success. Of these you will judge by those I send with my despatches.

1800
28 Sept.

An appointment.

Difficulty of securing good men.

King's verbal instructions.

Notwithstanding the numbers that are discharged from the stores, those that I shall assign to individuals, and that I shall allow to get their own maintenance, which will make a reduction of about £10,000 a year in the annual expence, yet, as a number of convicts must be employed at works which do not produce the necessaries of life (such as public buildings and keeping those already built in repair), expences will arise. You will observe by the result of the muster how great a proportion are thus employed, as well as the civil and military establishments, who eat without labouring. My study and attention will be directed to easing the public expences as much as possible, of which the fullest statements shall be regularly transmitted. I hope you will approve of my regulations respecting the Commissary Department, which I am certain will greatly diminish the heavy expences of this colony,

Virtualising convicts.

Civil and military establishments.

* The officer referred to was Mr. John Jamieson. See Government and General Order of 29th September, 1800, post, p. 208.

1800

38 Sept.

and by my regulation of the public accounts of the colony being transmitted yearly, through your office, to the Inspector-General of Public Accounts, every transaction will be immediately placed under the eye of inspection and controul.

A rumoured
rebellion.

Since writing the preceding part of this letter, a report has been circulated that the Irish sent out here for sedition, and other adherents that they have gained, are meditating an attack on the garrison and officers. As I make a publick communication on this subject, I must refer you to it. In our present prepared state, I do not think anything will happen; still, such is the information we have, that it is necessary to be extremely well prepared for anything of the kind, which at this convulsed moment may happen sooner or later. Since writing the preceding

A providen-
tial dis-
covery.

part of this letter, the storm has so far burst, that by a providential discovery all those schemes have been frustrated, and matters will go on very well. I have found it necessary to transmit the documents respecting the machinations of these people to convince Government that much was intended; however, I must now repeat that what with the measures I have taken, and shall persevere in, there is not the most distant reason to be alarmed. But if more of that description, and indeed of any others, are sent, an augmentation to our force will be absolutely necessary. I beg to press on you the necessity of a King's ship being sent here as soon as possible, for the Buffalo being taken away has left us quite in a defenceless state on that side. What has not that ship cost, and what has she done? She has been ready for sea these eight weeks past, but is still waiting—not for me, I can assure you. The Commissary has left all the demands he has upon individuals for the charge of servants, and for the heavy bills incurred for the articles they have had from the public stores, unsettled. I think a very particular enquiry should be made into this business, for I verily believe it is not meant to be paid. The measures that I have taken respecting the American that arrived here lately has convinced the settlers that the individual interest will be considered, and I hope it will have a good effect. The great business will be reducing the price of grain. This I shall certainly succeed in, altho' the grub has done much damage to our growing crops.

A man-of-
war re-
quired.

The Com-
missary's
accounts.

I have sent a small parcel of seeds, being the only ones that are fit to send; but I hope by the next conveyance to send a more considerable collection. I hope you will excuse my requesting your attention and assistance in the different public and private requests I have made.

I have, &c.,

Sydney, October 13th, 1800.

PHILIP GIDLEY KING.

The meat
supply.

P.S.—I hope the salt meat will not be omitted. If it does not arrive by September next we shall be very short, and have recourse to our breeding stock, which will be too soon.

As the woollen manufactory will, in the course of two years, be carried on to advantage, I beg to request some wool-cards may be sent out, and other materials, as we cannot make these articles here. 1800 28 Sept.

GOVERNOR KING TO SIR JOSEPH BANKS. (Banks Papers.)

Sir, Sydney, N. S. Wales, 28 September, 1800.

I wrote you by the Friendship soon after my arrival here, but, from her round, I think this will reach you as soon. I arrived here the 15th April, after a five months' passage, since when, until now, I have passed the most disagreeable and provoking part of my life, if I except my long detention in England.* Letter by the "Friendship."

Was I to consult my own interest and convenience in any one point, I should prefer being in Norfolk Island than in this place, as everything I possess is in that state that, which ever way I turn, I must lay my account with finding affliction and obstacles; still I must persevere. I shall not trouble you with a detail of what you may hear of and judge from other quarters. Gov'r Hunter has not given the command up to me before the date of this letter. You will easily judge that the colony has not benefitted much by the interregnum of six months. However, I do not despair of getting things on a very tolerable footing before long. It will be at least a year before I will be able to see my way. However, I shall not trouble you with any detail, as I know you can get a sight of the despatches; therefore I shall confine myself to saying that with respect to Hunter I believe him to be what the whole colony says he is—an honest man; but the reliance he has placed on those who, to use his own words, "have tricked and deceived him in every instance," has placed every circumstance, person, and thing in such a state that much time will be lost in getting them into the path pointed out by my worthy friend Phillip. Hunter and King. Hunter an "honest man."

I send you by the hands of Capt. Kent, who is nephew to Governor Hunter, and commands the Buffalo, which he takes home with him, a cask in which is a water-mole, another animal that Paterson recommended, a fruit found growing about Port Stephens, two warratarrrs, &c., which I hope will all get safe, particularly the mole, which you desired. I also forward, under Capt. Kent's care, two boxes from Cayley, and a third, packed by myself, with some stones brought from the Coal River, as Paterson thought they would be acceptable. The three boxes are cased in another, and I hope, from the precautions taken here, and what will be taken on the voyage, that they will arrive safe. If Cayley does but answer your expectations in sending home such things as are rare and acceptable, I shall not mind his abuse, as I believe Animals and plants sent home. Cayley's abuse.

* See the letters between King and Hunter, enclosed in King's letters to Portland, 28th September, 1800, ante, p. 166 et seq.

- 1800** it is his nature. He has fixed his affections on a woman with family. I have done all in my power to prevent the connexion but as Paterson thinks his being allowed to marry her will be the only means of making him quiet, as he appears flighty, I have given my consent, after many violent struggles to send her away. Perhaps it may be the better for Cayley, but I doubt it much. He has not asked for any money since our arrival, but has intimate that he was unlimited in his expences; but I have given him to understand that the £40 a year will not be exceeded. He has resided at Parramatta ever since our arrival, and has had the use of the Government House for his plants, &c. He is now removed into a small house fitted up according to his own direction, and we intend to establish a botanical garden near it (when I can look about me). I hope his wife and family will make him more easy than he has been; but I can assure you, sir, that no assistant shall be wanting to enable him to fulfil your mission.
- 28 Sept.** Unfortunately we left the box of stationery to come by the Poise. I have made up the deficiency by newspapers, &c., and Spaniard being arrived here that has a quantity of cheap, coarse writing-paper, I shall be able to keep him going on until the Poise arrives, if ever she does, since fatality lays on that ship.
- He desires to marry,** Nothing has yet been done respecting the coals. A small vessel went some time ago to the river between this and Port Stephen she missed the river and got into a barr lagoon, where she got loaded immediately with very fine coals, but in coming into the harbour she got ashore and was bilged. These rivers, which abound with coals, are not accessible to larger vessels than about four tons. It is true a number of these could load a larger vessel which may be done at Port Stephens. It is on this idea, and from the plots of the disaffected Irish, who were lately sent here for sedition and rebellion, that I have recommended the forming another settlement at that place with a very small establishment. Unfortunately we have only one miner in the country, who is convict for life. He is very clever, and is now boring over a seam of coal at the head of George's River, which is on the south-west side of Botany Bay. I send a small sample of the coal procured there in the box, which appears to be much superior to that found to the northward. As the miner is intelligent and master of his business, I hope we shall get at that article, but our great want will be engines, for no doubt the water will come upon us. The situation is handy for loading, and for vessels lying in Botany Bay.
- and reside at Parramatta.** As you have seen Messrs. Bass and Flinders, any information on my part respecting the straits, &c., is unnecessary. As I have been seen to the westward since those gentlemen were there, I am anxiously looking out for the Lady Nelson, and her first trial will be to find out whether the western entrance of the strait
- Stationery.**
- Lake Macquarie.**
- Settlement at New-castle.**
- Mining for coals.**
- The Lady Nelson.**

* The Martha—she went ashore in Little Manly.

is as good as the eastern,* and to run down the south-west coast from thence to ascertain whether there are any harbours in which vessels can be sheltered, and to solve the doubt whether the mountains are separated from the other part of New Holland by a sea or strait running from the Gulf of Carpentaria into the Southern Ocean, which is a very favourite idea in this country, how far founded or not the Lady Nelson, I hope, will determine. Every calculation of mine respecting them is now expired. Surely we shall not be left without a ship of some kind.

1800

28 Sept.

An inland sea.

I have written to the Duke of Portland, and requested that a ship may be sent out, in case the Buffalo does not return, and have solicited that I may have the command as first captain of one or both, as was the case with Gov'r's Hunter and Phillip. This arrangement is absolutely necessary in this distant colony, as it will be impossible for the necessary naval duty to be carried on if that is not the case. I should be obliged by your kind offices on this head, and also respecting my receiving the whole appointment of Governor from the time the command was given up to me, Sept. 28th, 1800. I have desired my agent, Mr. Sykes, to make application about it, and if any difficulty is made to acquaint you of it, as you were present when Mr. King assured me that would be the case. I can assure you it will barely do, and that not for some time, as I left England very much in debt. In a former part of this letter I informed you that our Irishmen are troublous, which they have long been, but lately it has proceeded very far, and was on the eve of throwing everything into confusion. Happily, it was discovered, and the ringleaders have been secured and punished. I sent most of them to Norfolk Island, where they will be quiet and I have now no apprehensions whatever for the colony or its peace, as every one must and will know that it shall not be disturbed.†

The naval command.

King's salary.

Turbulent characters.

In a box that Captain Kent will deliver is the fleeces mentioned in the enclosed letter.‡ I shall be much obliged by your opinion thereon, and will thank you to urge Mr. King to allow of some wool-cards being sent out and other requisites for the woollen manufactory. We are getting on very well in the linnen way, but it is only a commencement, nothing of that kind ever being done before at this place. I hope by the next ship to send you a very good specimen of our linen. Do, pray, send us out wool-cards, as it is impossible to get them made here.

Wool.

Linen.

I have desired Captain Kent to write to you when he arrives. The two boxes of Cayley's and that of the stones are all in one packing-case. If you wish the specimens and seeds to be sent up

Animals, plants, and ores.

* The Lady Nelson, under the command of Lieutenant Grant, sailed through Bass Strait on her voyage to Sydney, arriving on 16th December, 1800.

† See the proceedings at the trial of the ringleaders of this intended rebellion, ante, p. 120 et seq.

‡ The enclosure is missing.

1800 from Portsmouth he will take them out of the case, and reser
28 Sept. the box of stones until he gets up the river. I hope the stones w
get safe.

English
cattle and
horses.

In my despatches I have suggested that if the Buffalo return
to this country again that it would be of great benefit if a bre
of useful English cattle and horses could be sent in her, and ha
recommended Capt. Kent to have the direction of stowing the
&c. I have also mentioned him to Mr. King as a proper pers
to be Lieut.-Gov'r of Norfolk Island, in case it should becom
vacant.

I have many apologies to make for the unconnected manner
which I have written this, but as I have much to do at the prese
moment, I will endeavour to make amends in my next, which y
will get soon after you receive this. I beg my respects to tl
ladies and to all the gentlemen of your society.

I have, &c.,

PHILIP GIDLEY KING.

The naval
command.

I hope you will excuse my repeating the request I have ma
respecting my being appointed first captain of the ships (if I rema
in the Government), and the whole appointment as Governor fro
the time I took the command ; also about the wool-cards.

Memo. in pencil by Sir Joseph Banks.

A cask with two animals and some plants in spirits, a ca
containing two boxes of dried specimens, and one box of ston
and ores.

Received :—One small square case of seeds and cryptogami
one larger, containing specimens of plants ; one large box, wi
fleeces, from Capt. McArthur.

GOVERNMENT AND GENERAL ORDER.

29 Sept.
Prisoners
released.

29th September, 1800.

HIS Excellency Governor Hunter, previous to his embarkatio
was pleased to forgive all the prisoners confined in jail, except tl
debtors, those under sentence of death, and those confined f
sedition.

Lieut.-
Governor
Paterson.

HIS Excellency Governor King, having taken the comman
has been pleased to appoint Lieut.-Col. Wm. Paterson to act
Lieut't Governor of this territory, and Captain Edward Abbott,
the New South Wales Corps, to act as Engineer in superintendi
the military defences, batteries, and cannon of this colony un
His Majesty's pleasure is known.

Lieut. Neil McKellar, of the N.S.W. Corps, to be Aid-de-Camp and Secretary to the Governor. 1800

29 Sept.

Mr. John Jamieson, late storekeeper at Parramatta (on the Superintendent's list) to superintend all Government herds of cattle, swine, and sheep, in the room of Mr. Andrew Hume, discharged. Superintendent of herds.

Mr. Will'm Hassall, in confirmation of Governor Hunter's appointment, to be storekeeper at Parramatta, in the room of Mr. Jamieson. Storekeeper.

The Rev'd Sam'l Marsden and Charles Grimes, Esq'r., magistrates, to remain in the charge of public affairs at Parramatta and Hawkesbury. Magistrates.

John Harris, Esq'r., Surgeon of the N.S.W. Corps, having accepted the office of a magistrate for the county of Cumberland, is to be respected and assisted as such.

All other officers of the civil department to remain as heretofore until further orders. The civil department.

No officer is to pass a centinel after nine o'clock without giving the countersign.

Masters or officers of merchant vessells are to make themselves known to the officer of the guard. Officers of vessels.

No person is to pass or repass after nine o'clock, either at this place or at Parramatta, unless they are known householders, who are to carry a lanthorn after that hour.

Offenders against this order to be confined in the guard-house, and reported next morning.

PHILIP GIDLEY KING.

MISSIONARY HASSALL TO THE LONDON MISSIONARY SOCIETY.

Parramatta, 29th September, 1800.

Rev'd and Honoured Gentlemen,

This comes in the Buffalow, by favour of the Rev'd R. Johnson, who, with is family, is returning to England.

Since the departure of the Rev. Mr. Cover in the Reliance, I have constantly attended Toongabbie and Kissing Point alternately, every other Lord's day, last Sunday only excepted, when, thro' a report, we were lead to believe that the Irish Defenders which was transported to this country had an intent to beset the deferent places of public worship and secure the military, with all the principle people, and, at a signal that was to be given, a banditti was to rush into the town and kill, burn, and destroy all that Religious instruction. A threat-ened rising of convicts.

- 1800 lay in their power, having a great number of pikes for that purpose ; but, through a Divine Providence, the plan was discovered, and, having just timely notice, every exertion was made and the plan confuted (and since the above date some of their pikes have been found) ; but, not knowing of the above plan till late on Saturday night, no order could be attended to on the Sabbath. A number of the banditti are now in custody. Some of them have been severely punished, and the rest, no doubt, will. At this date are all in peace, and the Defenders have not been permitted to hurt any person.
- 29 Sept. On the 16th of July last was opened Kissing Point chapel* : a schoolroom by the Rev. R. Johnson and the Rev'd S. Marsden. The service began at 10 o'clock in the morning by reading the prayers of the Church of England, at the end of which was sung the 97th Hymn, the Rev. G. Burder's Supplement, "Dear Shepherd of," &c., &c. ; after which the Rev. R. Johnson preached from these words, "And I beseech you, brethren, suffer the word of exhortation."—Heb. 13, 22d. There was sung the 96th hymn of the Rev. G. B. Supplement, viz., "And will the great eternal God &c., &c. After service there were three children baptized, and the congregation dismissed. Mr. J., in his sermon, was very faithful to the hearers, exhorting them to attend to the concerns of their own souls, to their family's, and all around them. In the discourse there were many very pertinent remarks made, and I hope so good done ; at least, I can say that I found some searchings of heart that proved useful to me in the Divine life. The settlers all attended, and seemed to pay great attention to what was delivered. This place of worship was built by subscription, and is now opened thro' the week for a school, in which there entered twenty children which pay good attention to their schooling as well as Divine service on Sundays, and make good progress in learning, so that some of them will soon read well in their Bible. Their names are all registered, and their attention as well as their attention took notice of and rewarded accordingly. The subscriptions for the above building, through some not paying their subscriptions, and it costing more than subscribed, I have been under the necessity of drawing to the amount of twenty pounds sterling with which I have defray'd every expence on the said, and retain a few pounds, which I intend to dispose in the following manner : viz. : As there are several settlers in that district that have it in their power to pay for their children's schooling, I have given public notice that such persons, by applying to me, may have their children taught gratis. Accordingly they applied, and I have received several on the same grounds, for which I have to give the schoolmaster four pence per week per head. But this I only intend to continue till I hear from you. Through the encouragement I receive from yours, by favor of Gov'r King, I have given to the R
- A church opened at Kissing Point.
- The opening sermon.
- The church built from subscriptions.
- Twenty pounds short.
- Education.

R. Johnson an order on you for the above twenty pounds sterling, **1800**
 which I hope you will do me the favour of answering, not only **29 Sept.**
 because it is the first I ever gave, but because it is for the very
 purpose you appointed. Brothers Cooper & Shelley, also, have
 given different orders to the Rev. R. Johnson upon you, for which **Drafts on the**
 they no doubt will be accountable. Brother Cooper left this part **Society.**
 in the Betsy in the month of July last. I have the pleasure to
 add that both of them have borne a good character ever since they
 have [been] in this colony for ought I know. Bro. Shelley lives
 still with me.

The congregations of Kissing Point and Toongabbie are, for **Toongabbie.**
 numbers, much the same as when the Rev. J. Cover left this
 colony. Those of Toongabbie are always changing, through it
 being a King's settlement where the worst of the convicts are sent
 too for punishment to hard labour.

The Rev. S. Marsden gets on very fast with his new church.*
 He seems never happy but when in or about it. Nay, I may
 truly say that it is not only in his heart to build an house for God, **St. John's**
 but it is his only study to exert every power therein to complete **Church.**
 it. He is also about building an orphan school in Parramatta by
 subscription that will contain two hundred children, and I hope in
 a very short time to have it in my power to send word they are
 both completed. Gratitude compels me to make mention of the
 many favors me and mine receive from the Rev. Mr. and Mrs. **Mr. and Mrs.**
 Marsden, for they increase daily latterly. He was kind enough **Marsden.**
 to make mention of me to Gov'r King, who had appointed me to
 the care of the granary of Parramatta and the stores of Toongabbie,
 which has put into my hands a means by which I can maintain
 my family in more credit. Through the departure of the Rev. Mr.
 and Mrs. Johnson from the country we shall be deprived of those
 which are as good to us as father and mother; yea, I have found
 him a good friend.

Your, &c.,

R. HASSALL.

MEMORANDUM.

Sydney, 30th September, 1800. **30 Sept.**

STATEMENT of the weekly expence of a full ration and cloathing,
 as issued in His Majesty's territory of New South Wales.

THE full ration, as established by Treasury Order, is as follows, **The full**
 viz:—8 lb. of flour, which is equal to 12 lb. of wheat; 3 pints of **ration.**
 pease, which is equal to 3 lb. of wheat; 7 lb. of salt beef, or 4 lb.
 of salt pork, or 7 lb. of fresh meat; 6 oz. of sugar.

* St. John's Church, Parramatta.

1800

Expende.

30 Sept.

Cost of food
and
clothing.

	£ s. d.		£ s.
5 lb. of wheat, at 10s. p'r bushel, including waste	0 2 9		
6 oz. of sugar	0 0 6		0 3
Salt meat from England stands the Crown in 7½d. p'r lb.; wastage brings it to 8d.; the average between beef and pork is 5½d. lb. a week, which at 8d. pr. lb. is..	0 3 10	{ If fresh meat is purchased at 9d. lb. from settlers and 7 lb. each full ration per week, the expence is.. }	0 5
Value of each full ration pr. week	0 7 1		0 8
Pr. annum	18 8 4		22 2
Clothing at about, but as no regular servings can be made the articles should be charged	2 9 0		2 9
Value of clothing and provisions p. annum for each full ration	20 17 0		24 11

Fresh meat. It is to be observed that fresh meat is only purchased & issued as the settlers can spare it; but if this purchase and is happens in the week that salt pork is to be issued, which is 4 lb. each full ration a week, 7 lb. of fresh meat must be issued which costs nearly as much more. Therefore those officers, & who have convicts assigned them, and who draw provisions fr the stores for their support, must in future pay for each pound salt beef that is supplied them 9d. pr. lb., and for each pound salt pork 1s. 3½d., which is in the proportion that fresh meat is present purchased from the settler at 9d. pr. lb. and issued those maintained by the public at 7 lb. a full ration per week.

PHILIP GIDLEY KING

EX-GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My dear Duke,

30th September, 1800

General
state of
settlements.

I inclose for your Grace's information a general state the colony up to the 29th instant. I should have also forward that of Norfolk Island, but from some unaccountable neglect was not sent on board to me whilst I was off the Island, althou upon my arrival there, I had given directions to have it prepar

I have, &c.,

JNO. HUNTER

1800
30 Sept.

[Enclosure.]
STATE of the Settlements at Sydney, Parramatta, &c., in New South Wales—continued.

Time.	Settlements.	Registrar of Vice-Admiralty Court.												Free People and Settlers not Victualled.		Convicts.				Numbers on the different Rations.				Whole number at Full Ration.		Number in the Settlement.		Weeks Provisions in Store at the established Ration.				
		Men.	Women.	Children above 10 years of age.	Children above 2 years of age.	Children under 2 years of age.	Men.	Women.	Children above 10 years of age.	Children above 2 years of age.	Children under 2 years of age.	Orphans victualled.	Natives victualled.	Whole.	Two-thirds.	Hall.	Quarter.	Victualled from the Public Stores.	Whole number at Full Ration.	Number in the Settlement.	Beef.	Pork.	Wheat.	Sugar.	Maize.	10 weeks 4 days	27 weeks 3 days	14 weeks 3 days	23 weeks	20 weeks 1 day.		
1800.																																
Sept'r 29	Sydney	24	11	4	20	16	720	110	630	189	4	233	90	15	6	1011	204	203	115	1633	1362	2513										
"	Parramatta & Toongabbee	1	32	20	6	35	10	330	60	552	139	..	57	30	13	687	190	124	53	1054	884	1444										
"	Hawkesbury	26	10	..	12	8	727	30	48	..	..	16	20	6	..	123	21	50	28	223	169	979								
	Totals	1	82	41	10	67	34	1777	200	1230	328	4	306	140	34	6	1821	475	467	196	2869	2415	4906									

JAMES WILLIAMSON.

MISSIONARY SHELLEY TO THE LONDON MISSIONARY SOCIETY.

1800

[Extracts.]

30 Sept.

Parramatta, 30th September, 1800.

If the Rev. S. Marsden had not shown me so much kindness in getting me tools and slops from the public store, I should have been necessitated to have drawn for a greater sum, articles of every kind being excessively dear in the colony. As all my books and paper to the value of more than twenty pounds were destroyed at Tongataboo, I hope the Society will do me the kindness to send me a few books, as I am almost destitute of that valuable article. Since the arrival of Governor King there has been great alteration in this colony, and I believe for the best. He has appointed Bro. Hassall to be storekeeper at Toongabbee. I am at present working at my own trade, and hope I shall be enabled to get a genteel livelihood until I here from the Society. Bro. Hassall still continues to preach, and I am sorry to add with as little appearance of success. With regard to the conduct of the rest of the missionaries in the colony, Mr. Johnson will be able to give a circumstantial account. O that the Lord may appear to heal the breaches which have been made amongst us.

Marsden's kindness.

Missionary Hassall.

MAURICE MARGAROT TO UNDER-SECRETARY KING.

Port Jackson, New South Wales,

Sir,

1st October, 1800.

1 Oct.

My last of the 3rd February complained of the non-performance of what I had a right to expect. My letter this day, on the contrary, serves to convey a complaint of performances, which I not only had no right to expect, but are, moreover, not sanctioned by the laws of my country, not admitted among civilized nations, nor are they consonant with the humanity due to a fellow-creature. To be as brief as possible the case is thus :—

Long before the arrival of Governor King, the officers who had the most abused Governor Hunter's facility and faith, and who consequently had the most plundered the nation and the colony, to save their own necks, had laid heavy charges against their upholder, had entered into a conspiracy to effect his disgrace and ruin, and immediately on Governor King's arrival contrived to win him over to their side. Having kept an account of all or most of the Colonial abuses, having ever set my face against the perpetrator of them, and having given Ministry and others at home constant intelligence of the Colonial malpractices, I thought, as Governor King had been sent out purposely to detect and check those abuses, I say I thought he was misled, and that unwittingly, I imagined I could serve my country no better than by offering him the perusal of my notes and other papers, together with such

Margarot complains to Under-Secretary King.

Hunter and the officers.

Margarot's diary.

He offers to let King peruse it.

- 1800
1 Oct. explanations as might be requisite, little suspecting Governor had pitched upon a Governor ready to take umbrage at any persons knowing anything so well after six years' residence as himself could at first landing. I wrote a letter to him, the copy of which you have here subjoined;* let that speak for itself. No answer was returned, but within a few days I was forewarned by friend that much mischief was intended me. He told me the letter had been, *in poculis*, shown to G. King's associates, the very men who knew it was their infamous proceedings I meant to expose.
- He is disturbed by officers. Not long after I was roused in the middle of the night by two sergeants, under false and frivolous pretences. I complained the next day. Governor Hunter being still in power, they thought it most prudent to drop it, but a favourable opportunity soon offered itself. Governor King thought it necessary to have a general muster of both men and women. Mrs. Margarot you are not unacquainted with, and you may judge, from her appearance and behaviour, that such a muster could no ways be agreeable to her feelings, who had been accustomed to far other ceremonies. No man of but even decent education and behaviour could have expected her to attend his levee of female prostitutes and thieves; yet the order being general, and in Governor Hunter's name, Mrs. M. waited upon His Excellency, who told her it was not meant to include either her or myself—the more excusable as I was then very ill, and had long been so. Governor King, however, having laid in a great stock of irascibility against me, thought proper to vent some of it upon her intended victim, and the next day issued a warrant for apprehending and committing me to jail as a vagrant; and altho' Governor Hunter explained the matter, and gave his order on that head, was with great difficulty Governor King's rage could be appeased and another muster was ordered shortly after, when Mrs. M. attended one day, as I did the next. Take the detail of them both. Mrs. M. attending, found herself in the midst of nearly two hundred women of the class before mentioned; yet such is the effect of *je ne sais quoi*, which I cannot describe, nor Governor King feel, from them she experienced nothing but respect—every eye beamed commiseration, every tongue ejaculated indignation; a treatment towards her which they contentedly submitted to themselves. Admitted, the following short dialogue took place:—
- Her interview with King. *G. King*—Who are you (in a surly tone)?
Answer—Mrs. Margarot.
G. King—Oh! very well; go along, go along, go along; get on.
The next day I attended among a similar group of men. Introduced, the Acting-Commissary told him my name.
- Margarot's interview. *G. King*—Mr. Margarot, I would advise you to be very quiet, very quiet, and deserve the continuance of the indulgence Governor Hunter has shown you; be very cautious not to give us any suspicions.

* See Margarot's letter to King, ante, p. 87.

M.M.—I hope, sir, my behaviour has given you no cause of suspicion. 1800

1 Oct.

G. King—No, sir, no; to be sure, we have not found you out yet; but take care, sir, mind you do not give any reason for complaint; sir, go along.

M.M.—Sir, I know my duty, and you may depend upon my fulfilling it.

G. King—Now, for that insolence, sir, get along out of my house. Commissary, strike him off the store, and send his man to the camp-gang. (Then uprising from his chair in a maniacal rage) Go, get along out of the house; what do you mean by insulting me thus? An angry Governor.

M.M.—Governor King, you misunderstood me; I noways meant to insult you or behave disrespectfully; I only answered you that I knew my duty, and was resolved to fulfill it.

G. King (in a greater rage than before)—What do you mean by this insolence? Get along out of the house; no words, sir; and (when my back was towards him, as I was going out) none of your wry faces. I'll take your house from you and send you to Toongabbie with an hoe in your hand; and, lest I should not have heard him, he sent one of his myrmidons after to repeat it to me, to whom I made no other reply than that I should acquaint Governor Hunter with what had passed. A murmur of indignation that ran through the hall gave the tyrant, however, much room for reflexion. I was indeed told I was much favoured in that he did not honour me with the tittle of "infernal scoundrel," or "damned rascal," &c., &c.—epithets he bestows liberally on all who dare not resent it; for trust me, sir, we have very many reasons to think that Governor King's brutality and cruelty exceed his courage. A stormy scene.

To His Majesty's Ministers I apply for redress and protection to save, not only me, but the colony. Let Governor Hunter but repeat to you the last conversation but one I had with him on the subject. When you recalled one gentleman you ought to have given us another. The first error of Ministry was the suffering Major Grosse to succeed to that worthy man Gov. Philip; but the second, and by far the most fatal, is the suffering a man like Governor King to succeed Governor Hunter. The first error introduced corruption, but the second will most likely end in ruin. Had Government continued Governor Hunter in office and sent out commissioners, as was hinted in my last, all would have been well, and in a few years thousands of respectable families would, by their arrival, industry, and money, have rendered this a flourishing colony; whereas, at present, all those who can are taking their departure, or preparing for it. Ruin stares the colony in the face. Margaret claims protection. Comparison of Governors.

I am, &c.,

MAURICE MARGAROT.

1800
1 Oct.

REPORT of Extra Servants assigned to Officers and others in His Majesty's Territory of New South Wales, in consequence of Governor Hunter's orders of the 1st August, 1798, taken to the 1st October, 1800.

Names of Officers, &c.	No. of Servants	Sum due.	Objections.	Amount of deduction if allowed.
		£ s. d.		£ s. d.
Rev'd. Mr. Marsden...	6	260 0 0	Admits 6 as a reward for services ...	...
Rev'd. Mr. Johnston...	4	173 6 8	To be settled on the voyage ...	...
Mr. Grimes ...	3	130 0 0	Admits none ...	...
Mr. Balmain ...	11	476 13 4	Admits of 8 as a reward for services... ..	...
Mr. Williamson ...	5	216 13 4	Admits them ; to be paid from the produce of his farm ...	216 13 4
Mr. Atkins ...	9	390 0 0	Admits 9 as a reward for services ...	...
Mr. Wentworth ..	1	43 6 8	Admits it for 9 months ...	15 0 0
Mr. Thompson ...	5	216 13 4	Admits only 4 ; have been taken away occasionally ...	173 6 8
Mr. Smith ...	4	173 6 8	Admits, but have been frequently taken away ...	173 6 8
Mr. Arndell ...	3	130 0 0	Admits, but waits his application to England, he acting as a magistrate ...	...
Captain Johnston ...	12	520 0 0	To be settled by Governor Hunter ...	...
Major Foveaux ...	9	390 0 0	Settle at Norfolk Island ...	...
Captain Rowley ...	3	130 0 0	To be settled on the voyage ...	...
Lieut. Piper ...	1	43 6 8	Admits for six months ...	10 0 0
Lieut. Davis ...	1	43 6 8	To be settled at Norfolk Island ...	...
Mr. Harris ..	4	173 6 8	Admits of 2 who were taken for some time... ..	86 13 4
Lieut. Kemp ...	2	86 13 4	Admits from August, 1799, to 30th July, 1800 ; to be settled by Gov'r Hunter ...	40 0 0

OFFICERS' SERVANTS.

219

1866
1 Oct.

Report of Extra Servants—continued.

Names of Officers, &c.	No. of Servants.	Sum due.			Objections.	Amount of deduction if allowed.		
		£	s.	d.		£	s.	d.
Lieut. McKellar	3	130	0	0	Admits, but states claims on Government for services performed at Hawkesbury during 2 years that he officiated as a magistrate and had charge of Government gaugs	...	...	...
Mr. Cummings	1	43	6	8	Admits	43	6	8
Mr. Cox	4	60	0	0	Admits from January, 1800	60	0	0
Mr. Bayly	3	130	0	0	To be settled at Norfolk Island	...	...	...
Mr. Laycock	4	173	6	8	Claims 2 years for his son as an officer; admits 2	86	13	4
Capt. Kent	3	130	0	0	Admits to be paid from the produce of his farm	130	0	0
Mr. Braithwaite	...	...	...	...	Settled on the voyage	...	...	...
Mr. G. Barrington	3	130	0	0	Admits of only one	...	...	...
Mr. W. Broughton	1	43	6	8	Admits for 15 months	43	6	8
Mr. R. Fitzgerald	2	86	13	4	Admits one	25	0	0
Mr. Boston	3	130	0	0	Allowed by Governor Hunter	43	6	8
Mr. Baker	2	86	13	4	Admits none	...	...	...
Mr. Kennedy	2	86	13	4	Admits none	...	...	...
Mr. Pearce	1	43	6	8	Denies them	...	...	...
Mr. Hume	2	86	13	4	Died 14 May, 1800; Mrs. Smith admits none	...	...	...
Mr. Livingstone	2	86	13	4		...	...	...
Mr. Bowman	1	43	6	8		...	...	...
		5,086	13	4		1,146	13	4

JAMES WILLIAMSON, late Acting Commissary,
THOS. LAYCOCK, Acting Commissary.

1800

GOVERNMENT AND GENERAL ORDER.

1 Oct.

Wednesday, 1st October, 1800.

Officers' servants.

Allowances to magistrates and others.

Breaking up monopolies.

Port orders.

Disposal of cargoes.

The margin of profit.

In obedience to His Majesty's command, no officer, civil or military, is to receive provisions or clothing from the public stores for more than two convicts of any description whatever ; but the officer cultivating grounds may have the labour of such a number of convicts assigned them as the Governor may judge proper, and as can be employed in cultivation or taking care of stock ; such convicts so assigned to be clothed and maintained at the expense of the individuals. The officer who acts as a magistrate, or in any other public situation to which no salary is attached by the Crown, will be remunerated by having the labor of five convicts assigned to them during the time they are in the execution of that extra duty. No person is to be victualled from the public stores who is not employed for the public advantage. And if any person diverts the labour of the convicts employed at Government work to their own or other person's private advantage, they will be prosecuted for defrauding the public, and such other notice taken thereof as the offence may deserve.

The Governor being instructed to put an end to the unwarranted and scandalous monopolies that have existed in this colony, and which has not only been the case of much distress and ruin to the settlers and other institutions, but also of great injury to the public interest, and that of His Majesty's service, it is therefore directed that in future no person whatever is to have any communication with vessels arriving in this port until such permission is signified by an Union Jack being hoisted on board the vessel, excepting such persons as the Governor may authorize for that purpose. As soon after such arrivals as possible, the inhabitants will be informed whether Government purchases the whole or any part of such private investment as may be brought for sale, and a notice published for the rate at which such articles will be delivered to the inhabitants from the public stores, under proper and equal restrictions ; and should the Governor decline purchasing on the public account, measures will be taken to ascertain the value of the articles for sale, and in no case will private retailers be allowed to charge more than 20 per cent. on the purchase from the ship ; and in order to enforce this regulation, all civil and criminal courts of judicature that may hereafter be convened are directed and enjoined not to take cognizance of any action, suit, or demand where the price sued for shall exceed that specified by the notice to be published after every ship's arrival. And in case any articles are not specified therein, their value is to be estimated by an allowance of from 80 to 100 per cent. on the English or India price, and 20 per cent. on the retail. And as it has been the custom of the dealers and their agents in this colony, in order to recover the ruinous charges they have made on

individuals to procure their notes of hand for payment, without specifying how those debts have been incurred, the Governor, considering himself authorized by his instructions and the local situation of the colony and its inhabitants, hereby directs the members of the chief courts of judicature not to take cognizance of any suit, action, or demand for the recovery of any alleged debts, unless the plaintiff produces a bill (and on oath if required) specifying the consideration and the price for which the defendant becomes indebted to him. This order is to be considered in full force and effect from this day.

1800

1 Oct.

Notes of hand.

And whereas it appears that from the indiscriminate manner in which every description of persons in the colony have circulated their promissory notes of hand, not only much inconvenience has arisen, but also that it has occasioned the numerous forgeries that have been committed, for which some have suffered, and others remain under sentence of death, and many have been transported anew, the Governor, therefore, feels himself called on to put a stop to this ruinous practice. No written promissory notes of hand are to pass current or to be received after the 30th instant, of which the magistrates and courts of justice are to take notice that their value be not admitted in evidence or demand after the above date. And that the inhabitants may not lose their claim on each other, and for their accommodation, blank printed forms will be ready for delivery at the Secretary's office on the 24th of October, to those alone whom the Governor may approve of; and from the precaution that will be used, it is expected that no forgeries can be practised, and this mode of circulating private notes be attended with much public benefit.

Promissory notes

not to be negotiable.

Printed forms.

In consequence of the Governor's instructions, no person whatever is allowed to sell or retail any spirituous liquors; and if any person shall presume to land spirits or wines from any ship without the Governor's OWN PERMIT in writing, such persons offending in the above will be punished as the law directs for selling spirits without a licence, exclusive of their being seized for the use of the Crown, and a proper notice being taken of the offender, agreeable to the Governor's instructions on that behalf.

Retailing spirits,

No greater price than twenty shillings per gallon for spirits is to be admitted in any civil or criminal prosecution, unless it shall appear that it cost that sum, or more, from the master of any ship, in which case no advance on the retail will be allowed of.

20s. per gallon.

There being a quantity of tobacco engaged by Governor King from the master of the American ship John Jay, and now lodged in the public stores, those who are approved of may have a proportion thereof on paying one shilling and threepence per lb. in money or Government bills, on or before next Friday, when the remainder will be purchased on account of Government, after

Tobacco.

1800 which it will be charged at 2s. per lb. ; application to be made to
 1 Oct. David D. Mann.

Mr. Martin Mason, late acting surgeon of His Majesty's ship Buffalo, is appointed assistant to the principal surgeon.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

2 Oct.

Thursday, 2nd October, 1800.

Officers' servants

THE officers civil and military are to deliver in a list to Lient. McKellar on Saturday morning of the names of such convicts as they have in their respective services who are victualled from the stores, together with the names of the two they wish to retain. The magistrates and other officers who receive no salaries for the extra duties they perform, will give in a list of the names of those they wish to retain, as pointed out by yesterday's orders. They will also deliver a second list of the names of those convicts whom they can employ to advantage in cultivating their respective farms, or taking care of their stock, to enable the Governor to determine how far he can comply with their requests consistently with his orders. And such officers and others to whom the labour of such extra convicts may be assigned, are to sign the following conditions, viz. :—

and farm labourers.

To maintain and cloathe the prisoners whose labour is assigned to them.

Conditions of employment.

To give them a ration and clothing equal to that issued from the stores, for which they are to perform a full government task, or to work as pointed out by Governor Hunter's Orders of the 11th June, 1799*, and the 15th May, 1798.† And if the master can give them employment for the remainder of the time at the established rate, they are to do his work in preference to any other person's.

Servants to be housed.

The master to procure his servants a sheltered lodging on his farm, or at his habitation, from which they are not to absent themselves without leave, nor in any case to go from one settlement to another, without a pass from the magistrate.

Punishment for offences.

If the master or his overseer has just cause to complain of a neglect of work, or their servants not obeying their orders, or absenting themselves from their farms without leave, they are to report it to the sitting magistrate of the week, or to the bench on Saturdays, and on conviction the delinquents will receive a punishment proportionate to the offence.

And attention will be paid by the Governor to those thus employed, proportionate to their honest diligence, and the recommendation of their employers, in preference to those of that description who may merit punishment, or be complained of, of which an account will be kept.

* Vol. III, p. 678.

† Ib., p. 324.

And as it may not be in the power of every employer to furnish the servants assigned them with clothing or animal food, on application to the Governor the stores will furnish the proportion of clothes and ration of salt meat issued to those at public labour from the public stores, provided the employer signs an obligation to return the value thereof (either in money, wheat, or animal food, at the price those articles are received into the stores, hereafter stated) to the Commissary, on or before the 31st of December annually.

1800

2 Oct.

Food and clothing.

Every person secreting or employing any prisoners or others during the time of public labour, without leave from the Governor, if they are employed at government work, or from their respective masters, if employed by and assigned to individuals, will be punished for a breach of Public Orders, and the injury the public receive thereby.

Secreting convicts.

In case of sickness making it absolutely necessary to remove such servants to the hospital for their cure, the master may receive another man on the above terms, if the servant remains in the hospital more than a fortnight.

Sickness.

Charges which the Commissary is directed to make for cloathing or animal food supplied as a ration from the stores to prisoners whose labour is assigned to officers and others to whom the Governor may grant that indulgence:—Cloathing to be charged at the English price, without an advance of 25 per cent.

Charges for clothing and food.

Salt beef, 9d. per lb. ; salt pork, 1s. 3½d. per lb. This charge is in proportion to what Government at present pays for animal food to the settlers.

The annual charge of a full ration of animal food will be £8 13s.*

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Friday, 3rd October, 1800.

3 Oct.

In consequence of yesterday's orders respecting the assignment of convict labour to individuals, the Governor confirming Governor Hunter's General Order of the 10th of March, 1797,† respecting the price of public labour, and hereby orders and directs that such courts of civil and criminal judicature that may hereafter be convened, do not take cognizance of or admit in evidence, or demand any sum exceeding those specified in that order for the different rates of labour therein mentioned.

The price of labour.

* This was subsequently increased to £13 13s., post, p. 226.

† Vol. iii, p. 196.

1800
3 Oct.
Falsification
of registers.

A number of prisoners having obtained certificates (by the register's being altered)* of their respective terms of transportation being expired, who are for life and fourteen years, and under that abuse have left public work, every person still under the sentence of the law, and who has left Government labour on this pretext is to appear at the Secretary's Office at Sydney; at the Rev. Mr. Marsden's at Parramatta; and Charles Grimes, Esq., at the Hawkesbury, on Thursday, the 30th inst., when they will be pardoned for that heinous offence, and such attention will be shown them as their several characters may appear to deserve; but if any person in that situation does not give himself up before he is discovered by enquiries that cannot fail, he will not only be compelled to serve the full time, in addition to his original term that he has defrauded the public of, but will receive a severe corporal punishment, and be deprived of any indulgence whatever.

Prisoners to
report them-
selves.

Those prisoners whose terms of transportation are not expired, and have been allowed by former Governors to settle and hold allotments by grant or lease, are to appear at the above time and places.

Convict
labourers.

It having been the practice for prisoners at public labour to hire others to do their work, in which they have not only been encouraged, but have paid the overseers for that abuse, no person under the sentence of the law, or others employed and maintained by the public, are to hire others to do their labour, under pain of being severely punished; nor will any prisoners be suffered to go off the stores, except in some very particular case, and where they have a claim from the most uniform good behaviour; in which case such a respectable person as the Governor may approve of is to become bound for their good behaviour in the penalty of five pounds to the Orphan School, and to make good any damages they may commit, and be convicted of the recognizance to be given to the Judge Advocate, at Sydney, the Rev. Mr. Marsden, at Parramatta, and Charles Grimes, Esq., at the Hawkesbury, on Friday mornings, and a form to be filled up by the prisoner's signature and that of his surety.

Sureties for
good con-
duct.

Every prisoner now off the stores throughout the colony is to attend a muster, which will take place on Friday, the 17th inst., at Government House, in Sydney.

PHILIP GIDLEY KING.

* A remarkable instance of falsifying the statements of convicts' sentences was brought to light soon after Governor Hunter returned to England. On September 18th, 1801, a returned convict was indicted at the Old Bailey, for appearing in England after having been transported for life. In defence, Governor Hunter was called, and stated that the prisoner's name appeared in the official list at Sydney as transported for seven years. He had found him a well-conducted man, and, believing his term had expired, engaged him and brought him home as his servant. The Crown Law officers, however, showed that he had been transported for life, and that his sentence had never been commuted. The Court was, consequently, compelled to convict him, referring his case, at the same time, to the authorities for lenient consideration.

PUNISHMENT OF CONSPIRATORS.

225

GOVERNMENT AND GENERAL ORDER.

1800

Friday, 3rd October, 1800.

3 Oct.

THE Governor is much concerned to be under the painful necessity of directing a most severe corporal* punishment to be inflicted on the principals and accomplices for the horrid crime of conspiring the destruction of the King's Government in the colony, and the massacre of such parts of the peaceable and loyal inhabitants as might oppose their diabolical intentions, which, but for the merciful interposition of Divine Providence, was on the point of being carried into execution, the consequences of which would have been dreadful to all, but more particularly to those misguided people, who may rest assured that neither the Governor, officers, soldiers, or any description of His Majesty's loyal subjects, will spare any pains or trouble to discover and bring to condign punishment all those who in future may have the temerity to contrive similar plans. And it is at the same time hoped that the examples now made of the principal contrivers and ringleaders of this heinous conspiracy will deter those who have been implicated therein from renewing their seditious practices, which will not fail of compelling the Governor to proclaim martial law throughout the colony, a measure which he will not adopt but with the utmost reluctance. It, therefore, behoves the settlers and other householders, as they value their tranquility and property, to aid and assist in bringing forward any disaffected persons who may in any ways counsel or plan such horrible schemes in future.

Ringleaders of conspirators punished.

A warning to others.

GOVERNMENT AND GENERAL ORDER.

Saturday, 4th October.

4 Oct.

THE Governor confirms Governor Hunter's Orders of the 28th of August, 1798,† the 29th of Nov., 1799,‡ and the 25th of August, 1800, respecting a proper attention being paid to the observance of the Sabbath, and a general attendance on Divine Service. All centinels and watchmen are to confine every person who may be strolling about the towns of Sydney and Parramatta during the hours of Divine Service.

Observance of the Sabbath.

The Rev. Mr. Johnson being about to leave the colony, the Rev. Mr. Marsden will perform that gentleman's duty in his absence.

The chaplain.

The service requiring that the barracks should not be left without protection, only half that part of the Corps at Sydney and Parramatta are to attend Divine Service each time it is performed at the respective places.

PHILIP GIDLEY KING.

* See the proceedings and sentences in the two cases of conspiracy—ante, p. 120 *et seq.* and post, p. 124 *et seq.* Joseph Holt, General of the Irish rebels in 1798, gives a vivid account of the punishment of these men (at which he was present), in his "Memoirs," vol. ii, p. 119.

† Vol. iii, p. 472; the date of the Order was 27th August.

‡ This Order and that of 25th August, 1800, are missing.

1800

GOVERNMENT AND GENERAL ORDER.

6 Oct.

Monday, 6th October.

The price of
meat.

THE sum to be charged for a year's salt meat, to those who have the convicts they take off the stores, victualled by the public, is £13 13s. 0d., instead of £8 13s. 0d., as stated in the Orders of the 2nd instant.* The Governor requests the attendance of those officers who take convicts off the stores at Government House on Monday next, at nine o'clock.

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

8th October, 1800.

8 Oct.

An
American
trader.

My Lord,

Since closing my letters by the Buffalo, the John Jay (American) put in here on her way to China to refresh, having a quantity of salt meat, some spirits, tobacco, and tea for sale.

Articles
purchased
by Govern-
ment

As not more than thirty-two weeks' salt provisions remained in the public stores, and as the master offered all the salt meat at 7½d. per lb. (which is nearly the price that species of provisions cost Government to send from England), I agreed with him for the whole, together with the other articles as stated in the enclosure.† And to put an effectual stop to the unwarrantable monopolies that have hitherto existed in this colony, I directed such parts of it to be disposed of, at nearly the same prices, to every class of people who had the wherewithal to purchase it, and the remains were received into His Majesty's stores for Government use, which I have paid for by a bill amounting to £2,183 6s. 4d. on His Majesty's Treasury, as per voucher in the enclosed letter‡ to the Secretaries of the Treasury, my reasons for purchasing the salt provisions being to prevent the necessity of killing the breeding and labouring stock to supply those maintained by the Crown, and to avoid making a reduction in the full ration, will, I hope, be thought satisfactory. The small remains of the other articles will be exchanged with the settlers at such a profit as will nearly liquidate that part of the expence, and as the part they have already had distributed among them has been at nearly the prime cost and without any expence to the Crown, I hope the advantages that have arisen therefrom, both to the individual and the Crown, will ensure me your Grace's approbation of this proceeding.

and retailed
to settlers.

It is proper I should inform your Grace that as many to whom the labour of convicts is assigned are not able to supply them with

* Ante, p. 223.

† The stores purchased were :—Salt meat (beef and pork), 88,000 lb., at 7½d. per lb.; West Indian rum, 1,100 gallons, at 8s. per gallon; Virginian tobacco, 8,500 lb., at 1s. 3d. per lb.; tea, 600 lb. (price not given); tar, 30 casks, price £2 9s.

‡ This enclosure is not available.

animal food without killing their breeding stock, Government has hitherto supplied them with the full ration of salt meat and grain, for which the employer has been charged £20 per annum each full ration. This being far short of the real expence, I have directed that no grain be issued to this description, and that those who require the ration of salt meat, do pay in money, or grain, at the rate of £13 13s. a year. Although this is a penny per lb. more than what it costs when sent from England, yet it is the same price that Government pays for fresh meat to the settlers, which certainly ought to be the guide.

1800

8 Oct.

The ration
of meat.

I have, &c.,

PHILIP GIDLEY KING.

CAPTAIN WATERHOUSE TO SECRETARY EVAN NEPEAN.

Reliance, Deptford,

8th October, 1880.

Sir,

Be pleased to acquaint my Lords Commissioners of the Admiralty that I yesterday arrived at Deptford in His Majesty's ship Reliance, where, after having received the necessary assistance from the Master Attendant of that yard, I immediately proceeded to dismantling; and I beg you will please to assure their Lordships that every exertion shall be used on my part in getting her defects made good, and have enclosed for their Lordships' information a report of the carpenter's defects, a copy of which has been delivered to the builder of this yard.

H.M.S.
Reliance.

I have, &c.,

H. WATERHOUSE.

[Enclosure.]

STATE AND DEFECTS OF HIS MAJESTY'S SHIP RELIANCE.

Deptford, 8th October, 1800.

The ship's bottom in a leaky state, making 9 and 10 inches water p'r hour; since her being in port taken up to 2 inches.

Repairs
required.

The whole of her bottom wanting a thorough examination and caulking, she having sprung fresh leaks every time she had been out of port.

The whole of the hull is in a very disabled state.

In great want of a new main and quarter deck, not being able to keep her tight for her working so much when at sea.

The want of new tops and caps, fore and aft, the present being rotten.

Masts and yards in want of a thorough examination, they being much decayed.

Approved—

H. WATERHOUSE, Captain.

ROB'T SCOTT,

Carpenter.

1800

LIEUTENANT-COLONEL PATERSON TO SIR JOSEPH BANKS.
(Banks Papers.)

8 Oct.

Sydney, New South Wales,

8th October, 1800.

Dear Sir,

Arrival of
Governor
King.Evils
resulting
from traffic
in spirits.Captain
Johnston
court-
martialled.Circum-
stances of
his arrest.The corre-
spondence
sent to
London.

I had the pleasure of writing by His Majesty's ship *Reliance*, which I hope you received safe with the specimens, &c., which I sent by that opportunity. About two months after that ship's departure, Governor King and his family arrived in the *Speedy*, much to my joy, for, as I observed to you, the Government was getting every day into greater confusion in consequence of the immense quantities of spirits that got amongst the lower order of settlers and convicts. Altho' Gov'r King did not take the command until the 28th ult'o, the day that Gov'r Hunter embarked, his presence and the steps he recommended has already had their good effect; and I am confident that what I said in my letter to you by the *Reliance* will soon appear to be the case—that the excessive use of spirits has been the root of all our evils. At a trial before a civil court very lately you will be surprised when I tell you that it appeared that an officer on the civil establishment of Norfolk Island (and now about to leave this country for England on board His Majesty's ship *Buffalo*) had charged a soldier eight pounds per gallon for rum, which some say originally cost him ten shillings. However, if such transactions were ever carried on with the military, nothing of the kind has happened since my making known to them the Duke of York's instructions to me on that subject, except in one instance (tho' it could not be called traffic, it was a direct disobedience of my orders), which has occasioned the arrest of Captain George Johnston, who is also on board the *Buffalo*, with an idea that he can be tried at the Horse Guards.*

It was reported to me that he had issued a quantity of spirits to a serjeant of his own company, and charged it to the serjeant's subsistence at the rate of twenty-five shillings per gallon. This information came from such undoubted authority that I sent for Captain Johnston to point out the impropriety of his conduct. His behaviour on the occasion was such that it became my duty to order him into arrest. In consequence of this, and his being Gov'r Hunter's aid-de-camp, brought on a correspondence between myself and the Governor, the whole of which I have by this conveyance transmitted to His Royal Highness the Commander-in-Chief.† The copy of the letter, which I have the pleasure to enclose, will give you an idea of the whole transaction, and I hope it will clearly appear that I have done nothing more than

* The British Government severely censured this step. Johnston was ordered to return to Sydney, and it was announced that an officer could not be allowed to claim to be tried in England. See correspondence on the point, post, pp. 392, 393.

† With the exception of Lieutenant-Colonel Paterson's letter of 8th October, 1800, to the Right Hon. Henry Dundas, the enclosures are missing.

my duty. Gov'r King will give you the particulars probably of the state of alarm we have been kept in of late by the United Irishmen. I mentioned to you in my former letter that on their first arrival they had threatened to organize the colony, and in consequence of several informations there is not a doubt but that they were planning some diabolical scheme to subvert the Government. One of their plans was to seize the military at Parramatta in church during Divine Service, to put all to death that would not join them, and afterwards to attempt head-quarters. This we had information of about a fortnight since, and consequently were upon our guard. From the preparations we were making being discovered their plan was not attempted, but it was found necessary to lay hold of those we knew were active in the business. Whilst we have such characters to watch over, and probably more sent out, with a likelihood of the settlement being extended, our present military forces are certainly too small. Governor King has written for an augmentation, and I have consulted with him on the propriety of my renewing my plan of raising a corps somewhat different to that which I gave in to Mr. Secretary Dundas (with your letter) in Nov., 1798.

1800

9 Oct.

The United Irishmen.

A threatened rebellion.

Augmentation of the Corps.

Should His Grace the Duke of Portland approve of augmenting the military, which Gov'r King has submitted to His Grace's consideration, I hope my proposal is such as will merit approbation. I have taken the liberty of enclosing a copy of my letter to Mr. Dundas on the subject, and beg to solicit your interest in the event of an augmentation taking place.

Paterson's letter to Dundas.

For these last six months I have not been able to attend much to botany, and at present I have not anything worth sending except the two accompanying drawings. The lilly is certainly a wonderful production. I hope the plants that Gov'r Hunter takes with him will live; they will be a great acquisition. I did not see Caley's collection before it was packed up, but the few days that I accompanied him he appeared to be very industrious, and knew very well what was expected from him. Of late he has unfortunately been in love with a woman that has a family, and came in the same ship with him. He solicited my leave to marry her, which I granted, thinking he might be more settled, and consequently attend more to the object for which you sent him here. I find, however, the marriage has not as yet taken place. It is probable that both he and the lady has changed their minds.

Paterson's botanical labours.

Caley "unfortunately in love."

James, your old servant, is about to leave us, with a view of doing better in his own line as a baker.

I beg my respects to Lady and Miss Banks, and my compliments to Driander and any of the gentlemen that I have the pleasure of knowing.

I am, &c.,

W. PATERSON.

1800

[Enclosure.]

8 Oct.

LIEUTENANT-COLONEL PATERSON TO THE RIGHT
DUNDAS. (Banks Papers.)

Sir, Sydney, New South Wales, 8th Oct.

Proposed
increase of
Corps.

His Excellency Governor King having acquainted me he has represented to His Majesty's Ministers the circumstances of this colony require an augmented military force, both in officers and men, I have taken the honor to remind you that when I was in England I was in a plan for raising a corps by enlisting men of good character whose terms of transport expired.

Paterson
offers to
raise another
Corps.

If it should be judged necessary to make the proposed, I trust my long services in India and New South Wales, and my particular knowledge of the character of the people, will have some weight in recommending me to be an officer not undeserving or ineligible to be employed in such a number as might be thought necessary for forming a corps.

Conditions.

If the corps were to consist of four companies, on each, I could undertake to raise two companies free of expense to Government, if I might be considered in honor of being promoted to the command of it, and with the disposal of the commissions of one company.

A guarantee
of good
conduct.

I would pledge myself that the men I should employ would be active soldiers, and such as might be depended on for their behaviour on any service in which it might be a pleasure to employ them on.

Advantage
of raising
men in the
colony.

The very great saving of raising men in this colony will instantly notice, as the simple expense of raising a hundred soldiers from England would be at least £1000 pounds, to which, if they were to be recruited at home, would be added their bounty and a variety of other expenses, and the men so raised I am confident could not be so dear as those I should procure here.

I beg to assure [you] sir, that I am actuated by a desire to promote the good of His Majesty's service as well as in view to my own individual advantage, and this, I trust, will be my excuse for taking the liberty to trespass on your time at this address.

I am, &c.,

WM. P

Lt.-Col., N

GOVERNMENT AND GENERAL ORDERS.

1800

Friday, 10th October, 1800.

10 Oct.

THE civil, military, and free inhabitants are to conform to the following parts of the port orders, given to masters of ships on their arrival :—*

Port orders.

No person whatever, excepting the pilot or officer authorized by the Governor, is to go on board a ship arriving here, until permission is given, as pointed out in the Governor's orders of the 1st instant.†

Boarding vessels.

The guard sent on board such vessels is to see the above order complied with ; to allow of no article being sent out of the ship until a permission to trade is given ; not to permit any spirits, wines, or other strong drinks to be sent from the ship without a permit signed by the Governor ; to suffer no other person than a known officer, superintendant, or serjeant to go on board without a pass from the Governor, Acting Lieutenant-Governor, or officiating magistrate ; and never to suffer any boats from the shore on board after sunset. If the guard is insulted or interrupted in the execution of this duty, a report is to be made to the officer commanding at head-quarters.

Duties of the guard.

No articles of trade, or any package whatever, is to be landed at any other place than at the hospital wharf, on pain of seizure and confiscation ; and if any master of a ship, importer, inhabitant, or consignee presumes to land any spirits, wines, or strong drinks, without the Governor's own permit in writing being previously obtained, such spirits, &c., will be seized, and the offender be dealt with agreeably to the Governor's instructions on that behalf.

Landing goods.

In the late arrangements that have been made to put it in every person's power to supply their wants at an equal and low rate, the Governor is much concerned to find that very few real cultivators have been able to avail themselves of the offers made for that purpose, through the medium of the public stores, where the articles engaged for from the master of the John Jay have been lodged for the purpose of distributing among the inhabitants who have money or government bills. This want on the part of the settlers can only be attributed to their former indiscretions. The Governor, therefore, hopes that this class will in future be careful of a part of what they may be possessed of, to profit by the endeavour and wish which the Governor has, and means to persevere in, of closing all improper monopolies, and putting all in the power of the industrious settler and real cultivator to supply his own wants, instead of submitting to extortionate demands.

Settlers and the stores.

Good advice.

* See Port Regulations, 10th September, 1800, ante, p. 144, which were superseded by the above.

† Ante, p. 220.

1800 . The following list of fees on entries of ships, bonds, permits,
10 Oct. certificates and assessments are to be levied by the naval officer
and clerk assessor :—

FOR THE ORPHAN FUND.

On Entry and Registering of Ships.

	£	s.	d.
Shipping charges.			
If an English merchant ship with articles for sale, and in Government service	0	15	0
If ditto, and not in Government service	1	10	0
If a whaler, with articles for sale	0	15	0
If ditto, and no articles for sale	0	10	0
For a foreign ship	2	10	0
General permission to trade	0	10	0
For each bond	0	3	6
Permission to water on orphan lands	0	10	0
Permit to get wood on ditto, or other Government grounds	0	10	0
Certificate of clearance and bond returned	0	5	0
Permit to land or remove spirits	0	0	6

FOR THE JAIL OR OTHER PUBLIC WORKS.

For every gallon of spirits taken out of a ship	0	1	0
Ditto wine ditto	0	0	6
Ditto beer, &c. ditto	0	0	3
Wharfage for each cask, package, &c.	0	0	6

PHILIP GIDLEY KING.

THE ORPHAN ASYLUM.

11th October, 1800.

11 Oct.
Orphanage
Committee.

The Rev'd Richard Johnson, the Rev'd Sam'l Marsden, William Balmain, Esq're, John Harris, Esq're, Mrs. Paterson, and Mrs. King, being met according to adjournment,—

Finance.

The treasurer informs that since the last meeting the sum of £55 9s. 11d. has been subscribed, of which £17 6s. has been paid, for which he files a receipt. From the estimate that the treasurer produced, in consequence of the last committee, it appears to the satisfaction of the present committee that not less than the sum of two thousand pounds sterling will be requisite for building the house, &c., at Parramatta, according to the approved plan given in by Mr. Barralier.

Parramatta
Orphanage.

The committee approve of the situation pointed out for the erection of the house at Parramatta, and the treasurer reports that a commencement is made in making bricks for that purpose.

Expendi-
ture.

The committee approve of the sawyers being hired to cut boards for bedsteads for Capt'n Kent's house, according to the master carpenter's estimate given in (viz.) 1,757 feet at ten shillings p'r hundred feet. The treasurer reports that since the last meeting the sum of £170 has been expended for the purchase of 12 casks of salt meat, 7 casks and $\frac{1}{2}$ of manufactured tobacco, and 109 gallons of rum for the purpose of paying away to the different

artificers employed, at the rate of one hundred p'r cent. on spirits and tobacco, and meat at the market price. 1800

Ordered, the treasurer to write a note to Gov'r Hunter acknowledging the receipt of his kind attention towards the Orphan Fund, in the intended donation of the money arising from his fees for grants and leases of land, together with a handsome clock; for which the committee return their thanks. 11 Oct. An acknowledgment.

The treasurer reports that the fees on the entries, &c., of the John Jay, American ship, that touched here, have been paid to him by David Dickinson Mann, clerk assessor; and that Governor King has directed that all future fees of that kind, as specified in the General Orders of the 10th inst.,* together with such fees as may be hereafter due to him personally, on grants or leases of lands, be paid to the treasurer for this fund. Receipts.

Ordered, the thanks of the committee to be given to Gov'r King for the above.

The committee, considering the great advantage that will attend the interference of some well disposed and eminent gentlemen, or bankers, in England, to receive the donations of those who may be inclined to second this laudable institution, from whence a future source of strength may be drawn for the defence of His Majesty's dominions, exclusive of the great benefits that society in general will derive from the rising generation of this colony being initiated in the practice of morality and good order, they have, on a full consideration, resolved to request that favor of Samuel and Henry Thornton, Esquires, with the advice of William Wilberforce, Esquire. Representatives in England.

Ordered, that the treasurer, in the name of the committee, do write to those gentlemen from whose benevolent philanthropy they form the most sanguine hopes of being pardoned for taking this liberty, and request they would give such directions as to them shall seem proper to attain the objects of the proposed institution which is so happily begun. Instructions to the Treasurer.

The amount of subscriptions paid and unpaid to the present date is £572 11s. 8d.

W. BALMAIN.	A. KING.
RICHARD JOHNSON.	ED. ABBOTT.
JOHN HARRIS.	SAMUEL MARSDEN.
E. PATERSON.	

GOVERNMENT AND GENERAL ORDER.

Sunday, 12th October, 1800. 12 Oct.

The Governor having received a Treasury bill to the amount of the Government bills left in circulation in the colony, drawn by the Acting Commissary Williamson, and approved by Governor Hunter, the holders of these bills will bring them to the Secretary's Office, on or before the 16th instant, to receive the Governor's signature. Treasury bills.

PHILIP GIDLEY KING.

* Ante, p. 231.

1800

GOVERNOR KING TO UNDER-SECRETARY KING.

12 Oct.

Sir,

Sydney, 12th October, 1800.

Governor
King recom-
mends Cap-
tain Kent.

The bearer of this, Captain Kent, who takes the Buffalo home, has been employed in this colony as lieutenant and commander of His Majesty's armed ships Buffalo and Supply, and has been appointed second commander of the Buffalo by Gov'r Hunter since the Reliance's departure from hence. The activity of this officer previous to my leaving Norfolk Island was very conspicuous in his voyages from this place to that island. Of his professional merit, that is sufficiently known ; but it was the dispatch he used on these occasions that called forth my thanks, as it contradicted many unfavourable reports of the possibility of landing or taking a cargo from thence. His exertions have not been less active and equally fortunate in the 2 cargoes of cattle he brought to this colony in the Supply and Buffalo. When in England I shewed you a letter from that officer to me at the Cape, where he expressed his readiness to accept of the Lieut.-Government of Norfolk Island, in the hope of getting the rank of commander in the navy. As I am ignorant of what arrangements may be made respecting that island, I shall only take the liberty of observing that, if that Government should become vacant, that it is necessary a naval officer should command there, and I know of none so fit or deserving as Captain Kent.

A candidate
for Lieuten-
ant-Govern-
ment.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

12th October, 1800.

A second
plot.

GOVERNOR HUNTER not having left the harbour enables me to transmit the documents respecting a second plan formed by the Irish insurgents. This horrible plot was discovered by one of those fortunate events which generally frustrates similar schemes, and was to have been put in execution on the 28th ult'o. I am taking such measures as I hope will restore tranquility and recall these deluded men to their senses. Your Grace will observe by my letter to the Judge Advocate, and his answer,* that, altho' everything was done but striking the blow, yet that the delinquents could not be tried capitally. I, therefore, took it upon me to direct the punishments stated in those documents to be inflicted, and shall keep the principals at hard labour, and lodge them on board the Supply hulk in irons until they shew a peaceable disposition. Our local situation, and the description of people, I hope, will be a sufficient reason for any supposed severity I have been obliged to use with these misguided people.

PHILIP GIDLEY KING.

* Neither the letter nor its answer are available.

A SECOND INSURRECTION.

235

[Enclosure No. 1.]

1800

THE REV. S. MARSDEN TO GOVERNOR KING.

12 Oct.

Sir, 29th September, 1800.

We have not been able to come at any of the pikes yet ; whether we shall or no is uncertain. I think there will be sufficient evidence before the whole is complete to bring the matter to issue, and justify some severe examples of punishment. They are an unaccountable set of beings. It is difficult to prevail upon any of them who are accused to say a single word. We have a number confined, and probably shall see it necessary to send some of them down to Sydney to-day. We shall examine some more this morning.

Difficulty of procuring evidence of plot.

I am, &c.,

SAM'L MARSDEN.

[Enclosure No. 2.]

MEMORANDUM OF SUSPECTED PERSONS.*

Parramatta, 30th September, 1800.

A Memorandum.

MICHL WALLIS was to bring in the people on Sunday morning from the north boundary to church to join the rest, as stated in the evidence of J—— L——

J—— L——, who has been in the woods for almost three months, informed my shepherd, George Lee, in the middle of last week what was to take place on Sunday. Rumours of the rebellion.

E—— D—— is accused of consulting with one B——, who is now in prison at Sydney, how the Irishmen should form a second attempt in case their first should fail. B—— being apprehended with Holt and others prevented their first plan. E—— D—— is suspected of aiding and advising the last plan—for an attack upon Parramatta in time of Divine service. This information I received from a person whose name I am not at liberty to mention in a public manner. The first plot frustrated.

W—— D—— is known to be an United Irishman, and some suspicious tools being found in his possession it was judged proper to apprehend him. A suspicious character.

D—— C—— appears to have been very active in promoting the intended insurrection.

F—— K—— and W—— M—— were concerned in having the pikes removed at Toongabbe to some other place after F—— K—— had been discharged on Sunday evening last, as stated in the evidence of Esther Stroud, the wife of William Leadbetter. F—— K——, on his examination the last night, said he had heard, not from ten or twelve, but more than one hundred, who declared that by one means or other they were determined to furnish themselves with pikes and to obtain their liberty, but denied knowing anything about the pikes and the conversation which took place between him and W—— M—— the proceeding evening. Secreting pikes.

* Apparently submitted to Governor King by the Rev. Samuel Marsden.

1800
12 Oct.
A daring
witness.

W—— M—— behaved in the most daring manner on his examination.

B—— M—— was along with F—— K—— and W—— M—— on Sunday evening.

An attempt
to extort a
confession.

G——, whom Steele accuses, was examined again yesterday before Steele, face to face, but denied the whole of the conversation which past between him and Steele on Saturday last, tho' they walked near four miles together. Steele told G—— that on Saturday he (G——) said he knew where the pikes were, and that one man had handled the whole of them. He behaved so very insolent, and appeared so very hardened, that Mr. Atkins and I ordered him to be punished very severely in hopes of making him inform where the pikes were. Tho' a young man, he would have died upon the spot before he would tell a single sentence. He was taken down three times—punished upon his back, and also on his bottom when he could receive no more on his back. G—— was just in the same mood when taken to the hospital as he was when first tied up, and continues the same this morning. He is not in a situation to be sent down to Sydney yet. I am sure he will die before he will reveal anything of this buisness.*

[Enclosure No. 3.]

GOVERNOR KING TO OFFICERS.

Gentlemen,

Sydney, 30th September, 1800.

Discovery of
intended
rebellion.

In consequence of the alarm that has existed at Parramatta and this place since last Saturday, occasioned by the discovery of an intended insurrection to take place on Saturday last by the Irish convicts lately sent here for sedition, and others, a number of persons being arrested by the Parramatta magistrates as principals and accomplices in the above plan, I have to request you will take the trouble to make such investigation thereof as may enable you to give me your opinion of the intentions and progress those deluded people had made, and such means as you may suggest that may be conducive to restore good order among the misguided, and tranquility to His Majesty's peaceable subjects in this colony. I enclose the depositions taken by the Parramatta magistrates, and I have the honor, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 4.]

MEETING OF OFFICERS.

Result of
meeting.

At a meeting this day, convened by requisition of his Excellency Governor King, pursuant to the precept hereto annexed,

* Holt, in his "Memoirs," mentions the terrible punishment inflicted on this convict, of which he was an eye-witness. See his "Memoirs," vol. ii, p. 121.

together with the several informations, examinations, and depositions as they occurred and became the subject of enquiry at the said meeting, "to enable us to give His Excellency our opinions of the intentions and progress those deluded people had made, and to suggest means that may be conducive to restore good order among the misguided, and tranquility to His Majesty's peaceable subjects in this colony," we, the said committee assembled for the purpose aforesaid, after maturely deliberating on the evidence adduced before us, are unanimously of opinion that the intentions of the insurgents were in progress to effect a plan of the most wicked and dangerous tendency, subversive of all order and tranquility in this territory amongst His Majesty's liege subjects; and, therefore, hereby declare it as our opinion that the several atrocious offenders first hereunder named, being the principal ringleaders, and most active in the conspiracy (but no act and fact being clearly established by proof to amount to a capital conviction), we submit to His Excellency Governor King the expediency of bringing them to severe corporal punishment, according to the number of lashes marked against their several and respective names, and at the places mentioned thereunto, and, if His Excellency the Governor shall approve to transport or convey them to some secluded isle belonging to the territory, there to remain for the term of their original sentences, employed in hard labor, and ordered to the strictest discipline to reduce them to due obedience, subordination, and order, namely:—

W—S	—	...	to receive 1,000 lashes, at Parramatta.	1,000 lashes.
M—Q	—	.....	„ 1,000 „ Toongabbee.	
M—W	—	.....	„ 1,000 „ „	
J—B	—	.....	„ 1,000 „ „	
T—B	—	.. ..	„ 1,000 „ „	
D—C	—	.....	„ 500 „ Parramatta.	
J—R	—	.....	„ 500 „ „	
M—F	—	.....	„ 500 „ „	

And, with respect to the following accomplices, we further recommend to His Excellency a more lenient punishment may be inflicted, altho' they evidently appear to have been equally implicated in this heinous conspiracy, but, thro' fear or other motives, have been impelled to give evidence, the validity of which, in our opinions, thereby stands impeached and consequently not entitled to sufficient credit to establish a capital conviction. We are, therefore, of opinion that they severally receive the corporal punishments as marked against their respective names, and at the places thereto mentioned, and afterwards to be transported as aforesaid to such places of secluded and secure destination as His Excellency may be pleased to order and direct.

1800
12 Oct.

Evidence of
conspiracy.

The ring-
leaders

to be flogged.

Accomplices
and
informers.

to be flogged

1800

12 Oct.

And, lastly, we recommend that the above punishments be carried immediately into execution in the most public and exemplary manner.

500 lashes.

W — M —	.....	to receive 500 lashes, at Toongabbee.
F — K —	.....	" 200 " "
K — D —	.....	" 200 " "
M — W —	.....	" 200 " "
H — M —	.....	" 200 " Parramatta.
W — D —	.....	" 200 " "
M — M —	.....	" 200 " "
W — M —	.....	" 200 " "

The business of the meeting, after tedious investigation, was sworn, and replications attentively solved and duly weighed and considered, at the hour of three dissolved, with the proceeding ordered to be instantly laid before His Excellency Governor King for his pleasure to be known thereupon.

W. PATERSON,
RICH. DORE,

W. BALMAIN,
JOHN HARRIS.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sir,

Sydney, 12th October, 1800.

(Common
saw's prom-
issory
notes.)

Since closing my former letters it appears that there are promissory notes issued by Acting-Commissary Williamson, and approved of by Governor Hunter, for the purchase of articles furnished His Majesty's stores, to the amount of £2,214 16s., left in circulation among the inhabitants. And as both those gentlemen are going home, and no other way being left to consolidate or account for the payment of those notes after they are gone, I have received a Treasury bill for that purpose from Governor Hunter. And to enable me to liquidate those bills or promissory notes, I have sent that bill to my agent to present to the Treasury for payment, by which I shall be guided in the future payment of those notes issued by the late Acting-Commissary to the above amount.

I have, &c.,

PHILIP GIDLEY KING.

GEORGE CALEY TO SIR JOSEPH RANKS. (Banks Papers.)

Sir,

Parramatta, 12th October, 1800.

The troubles
of a botanist.

I labour under the misfortune of what I informed you of when at the Cape of Good Hope. No ship since ours has yet arrived from England. I have got no paper for to dry specimens with excepting a few old newspapers, and some other waste papers, which are but mere trifles to what I want. When I

arrived here I met with but few plants in bloom, as may be seen by my remittances. At the present there are numbers coming into flower. For the want of paper I am quite distracted, which has hurt my spirits very much. I enjoy my health, and am as great an enthusiast as I ever was in my life, provided I had materials to go on with. I am not yet thoroughly settled, for here workmanship is very dilatory. I cannot help thinking but what I was rather fortunate in arriving in the winter, for had I arrived in the summer it would have hurt me the more. In the course of one year, provided no obstacles fall in my way, I could collect half of the specimens of the plants in the colony. I should not have troubled Governor King for any money when at the Cape of Good Hope had I not been informed what a dear and exorbitant price all commodities were sold at here. I shall trouble him for as little money as possible, for I consider £5 in England to be as good as £15 here.

1800

12 Oct.

A year's work.

All animals and vegetables here appear to be new, excepting those that have been sent home, and what few are naturalised. Gyandrous plants are very numerous; so are the papilionaceous ones of the class Decandria. I have met with several genera which appear to be numerous in species. In my remittances I have prefixed names to those plants that I have examined. I have not done it merely with an intent of their becoming standard ones, but for being less burthensome to my memory, as I find figures tend to perplex if I use them in all cases. I do not doubt but what many of them are inapplicable; yet, as far as I have been able, I have abided by some expressive character. The initials S. and P. upon the labels denote Sydney and Parramatta, which is the district the specimens were gathered in. The month and year are likewise put down. The alphabetical numerals prefixed to the Cryptogamiæ denote that I have the same in my possession to prevent sending them hereafter, as I have not paid that attention to them as I have done to the more perfect ones. The figures placed upon the wrappers of the seeds denote duplicates, though in those I have added names to you will find duplicates without figures being prefixed. If I find better specimens of the plants and seeds which I have now sent, in the course of the summer I shall collect them. I think of packing up some seeds in sugar, as mentioned by Mr. Sneyd, for I think it a very good method. In course of time, tanning of leather ought to be much in practice here, for there are so many different barks that are very strong astringents. Iron abounds here in great abundance. I have lately received a small specimen of stone which contains copper. I have been told by a Cornish miner that he has met with tin. Coal, I am told, has been met with in several places; indeed, I have great reason to believe that there are immense veins of it throughout the whole colony.

The animal and vegetable kingdom.

Naming plants.

Sending home seeds.

Astringent barks.

Coal-fields.

1800	All these things I shall pay attention to. But if
12 Oct.	Englishmen degenerate here, for, upon the whole, t
	very bad work, and seem inactive. Whether this is
	want of encouragement, proper tools, or free and
	cannot determine; but certain it is that there are
Caley's	buried in oblivion which I hope time will reanimat
prospects.	tremely well satisfied with the field I have before
	already found plenty of new objects in the few miles
	yet travelled. I do not mean to ramble a great way
	at the first setting out. Every inch of ground I
	sacred, and not to be trampled over without being
	far as I am capable of exploring the three kingdo
	I shall attend to, and also to the improvement of ot
	originate from the advancement of natural history;
His	shall make the principal pursuit. I now find myself
principal	several things that I am not able to procure here,
pursuit.	knives, a few of those that are called gardener's, on
	a small pocket blow-pipe, a small quantity of vario
	hooks, a few pins for insects, a few nests of boxes, a
Articles to	barometer for ascertaining the heights of mountain
be sent from	ensuing year I shall often visit the mountains in this
England.	I have always been partial to mountainous places—
	bottles with wide necks, a few pounds of strong three
	colours, a gun and a double-barrelled pistol—as w
	into the interior of the country I shall be obliged to
	as well as the person that travels with me. The
Weapons of	colony are chiefly old muskets, which are very heavy,
defence	too much powder and shot for to load them. A dou
against the	pistol is very useful in the woods when covered wit
natives.	many of the natives are well aware that a gun will onl
	may, many of them do not mind a single gun now—
	I shall often be among numbers of the natives by
	night. There is a deal of house-breaking here, and
	mined I will not be robbed without a combat, unles
	by surprise. Some fine glazed gunpowder and vario
	I shall much want, as when I am far in the woods r
	depends upon it. About a hundred-weight of brow
	All these articles, or what I have left of them, wh
	leave the colony would be as good as ready money,
	pay for freight, but interest too. A good second-har
Prices	piece is valued at 10 guineas; shot is sold, but scar
current.	1s. per pound; coarse gunpowder, which is sold retai
	ounce in England, sells here at 5s. per lb.; good glaze
	I have not seen here; thread, from 4d. to 6d. per
	5s. per pound; slop shoes, which would last me
	night, 20s. per pair; and every other article is as de
King	tion. It is reported that Governor King will take s
proposes to	
lower them.	

them immediately ; but I know it is not an easy matter to overturn customs all at once. Manchester goods would sell remarkably well here, such as gingham, dark-coloured nankeens, prints, or what are called damaged ones by the printers, consisting of shawls, gown-pieces, and pocket-handkerchiefs ; in fact, everything of that manufactory would find a market in both light and heavy goods ; and, as I said before, I would rather have the worth of £5 in such property than I would £15 here. Through my being indebted to many people for matters that I might not meet with, together with giving bread to the different natives--as I find I can gain their affections, and get information from them--makes me want to have something to traffic with. I have wrote home for a fustian jacket and some shoes, for the woods tear everything to pieces. My next remittances, if I get paper, I expect will be worth receiving, for what I have now sent is a mere trifle.

1800

12 Oct.

Caley wants to traffic.

I am, &c., GEORGE CALEY.

P.S.—I have wrote to a gunsmith, who I am well acquainted with, and will get me up the articles on reasonable terms. I told him I wanted plain work, for them to use as little ammunition as possible. His address is William Aston, gunsmith, corner of Robinson's Lane, King's Road, Chelsea. In articles that I should want to dispose of, I should not crave an exorbitant price, for I detest the monopoly that has here been used. Your Fuzee kills remarkably well at a short distance ; but I should like it better if it took less powder to load it.

A gunsmith written to.

I have not sent any seeds to either Mr. Colvill or Mr. Watson. I have not yet seen any plants in seed whose flowers I could recommend to them. There are some seeds that I have sent whose blossoms I have not seen. In the course of the summer I expect to get some that will be of some service to them, and shall likewise not forget Mr. Dickson.

Plants and seeds.

Note, in the handwriting of Sir Joseph Banks.

22nd June.

If you choose to proceed with the discovery ships, I have no objection. All such matters as you may discover likely to be useful to commerce, I wish you to have exclusive advantage of ; but on the voyage you must not be allowed to trade in seed or living plants. All that can be collected on the voyage must be sent to Kew exclusively, and care will be taken that the nursery-men do not get them at the same time.

Sir Joseph's reply.

GOVERNOR KING TO LIEUTENANT-GOVERNOR FOVEAUX.
(King Papers.)

Sir, Sydney, New South Wales, 13th October, 1800.

13 Oct.

I am sorry it has not been in my power to send the relief as the Porpoise has not yet arrived, altho' daily expected.

1800

18 Oct.

Irish convicts sent to Norfolk Island.

The seditious behaviour of the Irish convicts in this colony has made it necessary to send the number, as per enclosure,* over whom a strict hand and eye will be necessary.

As the Buffalo calls at the island, I have to request you will inform His Majesty's Principle Secretary of State for the Home Department of such circumstances as you may deem it necessary to inform him of respecting the present state of the island as pointed out by your instructions.

I have directed the Commissary to send some articles, which is all our stores will allow of, but I hope soon to send you greater supplies. You will direct the master of the schooner to return here as soon as possible, and as it will be an object to have as many of the old detachment as possible sent in her, she shall return again with 12 of your company as soon after her arrival as possible.

The guard relieved.

I am, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sir,

Sydney, 13th October, 1800.

Rev. Richard Johnson.

The bearer of this is the Rev'd Mr. Johnston, who is chaplain to the colony, and returns to England with Governor Hunter's leave. He has met with much obstruction formerly in the execution of his duty. I believe him to [be] a very honest man, and I think has been ill-used in this colony by those in it.

He undertakes the care of a parcel of seeds, which are all that are ripe; larger collection shall be sent by the next ship.

I am, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Thursday, 13th October, 1800.

Removal of spirits.

In addition to the Order of Monday last, the Governor directs that all permits for spirits to be removed from one house to another, or from settlement to settlement, not from on board ship, are to be signed by the Acting Lieut. Governor or magistrates.

PHILIP GIDLEY KING.

GOVERNOR KING TO KING POMARRE, OTAHEITE. (King Papers.)

Sydney, New South Wales,

May it please your Majesty, 13th October, 1800.

The king of Otaheite.

I am very sorry I did not know of your subject Tā-pe-hi going from here some time ago, otherwise I should have written to you; and I am now very sorry that it is not in my power to send

* The enclosure is not available. See, however, the proceedings in the attempted mutinies in September, 1800—ante, pp. 120 *et seq.* and pp. 234 *et seq.*

you any presents except what Captain Bunker brings you as a small token of my future intentions. I hope our worthy countrymen and your subjects agree well together, and that you all profit by their teachings and example. I shall be glad to hear from you through Mr. Jefferson.

I am, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Tuesday, 14th October, 1800.

THE late Acting Commissary having empowered the present Acting Commissary to receive the debts due from individuals to the Crown, to the truth of which the Governor has sworn. As those charges appear in the ledger delivered to Mr. Laycock, the Governor thinks it proper to acquaint those who are so indebted that they liquidate the same on or before the 31st day of next December; otherwise they will be proceeded against according to law.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.*

Wednesday, 15th October, 1800.

THE following rules to be observed respecting the coasting and other vessels belonging to this colony:—

	£	s.	d.	Port dues.
Every vessel (not a rowing boat) being rigged, to be registered at the Naval Officer's office, and to pay for such register	0	10	0	
For permission to go to Botany Bay or the Hawkesbury	0	2	0	
Ditto at re-entry	0	2	0	
For permission to go beyond Broken or Botany Bay, for each vessel	0	5	0	
Ditto at re-entry	0	5	0	

No vessel is to break bulk on entering this port until reported and entered at the Naval Officer's office. Monies arising from these regulations to be appropriated to the Orphan Fund.

Governor Hunter having detained the Buffalo another day to give the Commissary an opportunity of settling the claims he has on individuals on the part of the Crown, such persons who are indebted on that account are to attend the Commissary at Government House, at six o'clock to-morrow morning, to get their respective accounts adjusted.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sir, Sydney, New South Wales, 18th October, 1800.

The Buffalo being detained for the reasons assigned in the enclosure, from the result of the examination that has been made in the late Acting-Commissary's accounts, you will observe that I am now enabled to recover a considerable debt due to the Crown, which has been greatly combatted by individuals under the idea that they were never to pay for the stores they have been so liberally

* See also regulations on pp. 144, 231, ante.

1800 provided with ; and however small the portion is of the
 18 Oct. admit of, yet I shall take care that this little is put
 Payments into stores. Respecting the extra convicts, although it was
 for convict that they were all to be paid for, by Governor Hunter
 servants. 9th August, 1798,* yet no one admitted of the decision
 Allowances now. As I have no doubt that those officers who have
 to magis- to paying for their extra servants, on the plea of being
 trates. to that reward for their magisterial services, have rendered
 Results of the general muster. service to the colony by those extra duties, I shall not
 The price of grain and pork. payment for their servants unless otherwise directed
 please, sir, to observe, by my General Orders of the 9th
 that the number of servants allowed to magistrates, do not
 exceed five for each extra duty, and I have every reason
 to think that the regulations I have made on those heads will
 prevent future contests or misapprehensions, and produce much
 public economy. By the enclosure in my general letter
 of the 10th of Grace you will observe that since the general muster
 was taken soon after my arrival here, that 450 full rations
 have been struck off the stores, which has made a deduction in
 the rate of the colony's expences of £10,488 at £23 each
 p. an. You will also observe, by my General Order of the 10th
 instant,† that the price of wheat is reduced to 8s.
 instead of 10s. ; and that of maize to 4s., instead of 5s.
 and of pork from 9d. to 6d. p. lb.,—which will make a very
 great saving in the expences, exclusive of the number of
 men who are drawn from the service of individuals into that
 service, the savings upon all of which I shall be able to
 obtain with greater precision (than I can now) at the end of the year.
 I beg to assure you that no proper means will be left
 untried to fulfil the object so much desired—that of reducing the
 expence of this colony to the mother country.

I am sorry to say that I am just informed that a
 grub has attacked the wheat, which will make our crop
 uncertain, but to guard against a scarcity as much as possible
 I have given directions for new exertions to be made in getting
 maize as possible planted, which work can be continued
 longer.

I have, &c.,

PHILIP GIDL

[Enclosure No. 1.]

GOVERNOR KING TO EX-GOVERNOR HUNTER
 Sydney, 14th October

Sir,
 Mr. Laycock informs me that Mr. Williamson
 yesterday delivered him a ledger with the following written
 "The undermentioned ledger, containing the particulars

The public
 accounts.

* See Governor Hunter's Government and General Orders of 20th May, 1800
 August, 1798, vol. iii, pp. 384, 398, and 448 ; see also the tabular statement of
 officers for assigned servants, ante, pp. 218, 219.
 † Ante, p. 220. ‡ Post, p. 247.

of individuals with Government from Sept'r, 1796, to 30th September, 1800, and the following papers hereafter mentioned left as a guide, not to be sent to England." 1800
18 Oct.

I am sorry to trouble you at the moment of your departure ; but as I observe the sum of the whole debts unpaid amount to £2,166, exclusive of a large amount for articles left open, and convict servants, I must request that Mr. Williamson points out to the present Acting-Commissary the mode in which those debts are to be liquidated, the authority Mr. Laycock must possess for that purpose from Mr. Williamson, and whether the individuals have been furnished with their separate accounts, and admitted the validity of them, as neither the Acting-Commissary or myself can be responsible for the getting those debts in without such an authority and explanation. Debts due to the Crown.

Difficulty of collecting them.

You know the colony so well that if this circumstance is not explained very few who are indebted to Gov't will allow the justice of the charge after the Buffalo is outside the Heads.

I am, &c.,
PHILIP GIDLEY KING.

[Enclosure No. 2.]

EX-GOVERNOR HUNTER TO GOVERNOR KING.

Sir, Buffalo, 14th October, 1800.

In the hurry and confusion with which I am at present surrounded, it gives me concern that anything should now remain unexplained relative to the public accounts in the Commissary's department. I have written many letters on the subject of the best mode of supplying individuals with the various articles they might require, but I was never favoured with any reply to them, or how far my ideas were approved ; consequently I have felt myself much at a loss how to act so as to meet the wishes of Government ; yet I trust it will be clear that there has been no lavish waste, no improvident use of the public stores during my authority. What the design of Government is now relative to stores supplied individuals I perfectly understand, and the Commissary has had from me some time past directions to keep an account with the different individuals so supplied, which I believe has been most minutely attended to. How far, on the sudden call I have rec'd to return to England, and the necessity there has appeared for the Acting Commissary to return upon service with me, it has been possible for him to go round the colony and collect those debts due to the Crown, and at same time to prepare those other accounts which we now understand are expected, I will leave you to judge. *The debts are just*, and as far as the Commissary's knowledge and dependence upon the store-keepers who issued the articles can go, he is ready to make oath to the truth of them. That many of the individuals may doubt their being so much Individuals in account with the Crown.

Difficulty of collecting the debts.

1800
18 Oct.
Accumulation
of
arrears.

Payment to
be insisted
on.

indebted to Government I am not to be surprized at, because those necessaries were formerly and for some years issued without any charge whatever; such supplies were left to be considered necessary, or not, at the discretion of the Commanding Officer. That has not been the case during my authority. If it had, the amount of such debts would not have appeared so considerable as you mention. Such articles as appear in the ledger without a charge has proceeded, I conceive, from not being a judge of the value. I am clearly of opinion that if the different individuals on the spot decline paying those just debts recourse should be had to the law; and with respect to those going in the Buffalo, if they refuse to settle with Mr. Williamson on the voyage I shall direct he make report of them and their debts to the Crown, to whatever office it may belong to. No such ledger, or any other account of stores supplied to officers and others, was left in the colony when Mr. Commissary Palmer went home. From that circumstance, no doubt, proceeded an opinion that they were intitled to whatever was wanted from the public stores, and thence proceeds the difficulty in getting those debts discharged altho' informed, by my Orders, they were to be paid for.

I have, &c.,

JNO. HUNTER.

[Enclosure No. 3.]

EX-GOVERNOR HUNTER TO GOVERNOR KING.

Sir,

Buffalo, 15th October, 1800.

The officers
demur.

The
accounts to
be
examined.

Understanding from Mr. Williamson that difficulties are made by some of the officers on the accounts rendered them by him of extra stores rec'd by them to be paid for, I am a good deal surprized at such difficulties, and as it is some time since they have rec'd their respective accounts, it was surely their business to have come immediately forward and pointed out the objectionable parts that they might have been set right at once. Mr. W. says that you were so good as to say you would set apart to-morrow and go over the ledger in which these debts are entered, and hear the objections made by the different gentlemen to their respective accounts, that no farther difficulty should remain. Anxious as I am to depart after having been so long embarked, I am desirous none of those difficulties should remain or be discovered when I am off the spot; and I have only to assure you, sir, that could I have foreseen some years ago what I am now so thoroughly convinced of, there are many in the colony now who should have found me less complying and obliging than I have been. My experience it is to be hoped will, at least, serve as a caution to my successor.

I am, &c.,

JNO. HUNTER.

[Enclosure No. 4.]

GOVERNMENT AND GENERAL ORDER.

1800

18 Oct.

Friday, 17th October, 1800.

Is consequence of the Governor's instructions no greater price will hereafter be given for such wheat as the necessities of the public stores may require from settlers, that is eight shillings per bushel, except for the quantities advertised by the Governor in August, to be sent from the Hawkesbury, and such as may be already lodged in the public stores. The price of wheat,

No greater price will be given for maize than four shillings per bushel, except for such unpaid quantities as are now in the stores. maize,

No greater price will be given for swine's flesh than sixpence per pound, which will be given for all such marketable meat as can be furnished the stores for three years certain from the date hereof. It is to be understood that no sows will be received, but if any settler is possessed of any female swine that are past breeding or barren, permission will be given for their being received. and pork.

After the many warnings that have been given by the General Orders for the last five years that such a deduction should take place, it has now become necessary for every settler and other person cultivating ground to conform thereto in their domestic arrangements, and to enable them to procure such comforts as opportunity may furnish the colony with, it is the Governor's firm determination to use every means in his power to rescue the settlers and other individuals in the colony from the effect of the oppressive monopolies that have hitherto existed. The assistance which the Governor requires from individuals to carry this resolution (founded on the Royal Instructions)* into effect, is that they will exert their industry to obtain the means of profiting by these endeavours, and not squander their earnings in riot, and dissipating their property, which prevents them from sharing in the comforts that may in future arrive here for sale at a moderate price. A long-threatened reduction.

Thomas Collier is appointed superintendent of blacksmiths, in the room of Walter Brodie discharged for drunkenness and neglect of duty. The abolition of monopolies.

Assistant-Surgeon Jamison having obtained leave to return to England for the arrangement of his private concerns, his leave from this colony is to continue only for one year from the time of his arrival in England, to enable the other assistant-surgeons to procure a similar leave. Surgeon Jamison.

Wm. Balmain, Esq., is appointed to act as Naval Officer, which includes the duty of Registrar of Exports and Imports, that Surgeon Balmain.

* Governor King did not receive his Royal Instructions until two years after the date of this Government and General Order. Writing to Under-Secretary King (28th September, 1800) he remarked that he was obliged to take a great responsibility upon his shoulders, as he had no instructions other than those given to Hunter, and verbal orders received in London from the Under-Secretary—ante, pp. 183, 199, 203.

1800 situation being declined by Mr. Atkins, who retains the situation
18 Oct. of Registrar of the Admiralty Court.

David Dickenson Mann* is appointed clerk assessor to the Naval Officer, to the Committee for the Erection of Jails, and to the Orphan Committee.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Saturday, 18th October, 1800.

The price of WHEAT, maize, or fresh pork given into the stores in payment for
produce. debts due to the Crown, will be received at the former prices until the debts due (up to this date) are paid. PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Sunday, 19th October, 1800.

19 Oct. In the Governor's absence from headquarters at Sydney, all reports
The Acting Lieut. Governor. are to be made to the Acting Lieutenant Governor, Colonel Paterson.

Garden The depredations committed in gardens, &c., by swine being
pests. suffered to range about, without being yoked or wrung, and the Governor being unwilling to prevent their picking up such food as chance may offer by being allowed to range at large, those possessed of that kind of stock are to get them yoked and wrung before next Saturday, otherwise they will be taken for the use of Government.

Retailers of Licences for the retail of spirituous liquors will be granted on
spirits. the 31st instant. The Acting Lieut. Gov'r and magistrates will recommend eight persons who they may judge deserving of that indulgence.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sir, Sydney, 19th October, 1800.

Doubtful My letter to you of this date† will explain the necessity of
debts. my clearing up a business that would have left a very doubtful debt of £3,000 one way, and £7,000 another, in a very uncertain and, I may add, irrecoverable state. However, it is now so far settled that the former sum will be got sometime or other, but it is necessary you should remember that the store debt due by Gov'r Hunter, the Commissary, and Captain Johnston, which are not stated in the public books, are considerable and certainly ought to be recovered.

Claims for I hope when you consider that the saving of at least £13,000
salaries. is making by the obnoxious measures I have been obliged to

* Mr. Mann, after his return to England, published an account of the colony, entitled "The present Picture of New South Wales, illustrated with four large coloured views from drawings taken on the spot." London, 1811.

† This letter is not available.

enforce, that my poor claims of my having the salary of Norfolk Island being made up to me from my landing here till I took the command, and my having the full salary from that time will not be disallowed of. 1800
19 Oct.

The reduction of the grain, &c., has taken very well. It has been threatned this five years past, but want of resolution and the importunity of those who are interested, have kept up the price till now. I hope to send you good accounts by the next conveyance, and have, &c., King's
firmness.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Saturday, 25th October, 1800. 25 Oct.

ALL those who have taken prisoners off the stores are to appear as underneath to sign for such servants, and to receive printed copies of the terms on which their labour is signed:—Those in and about Sydney, at Government House, on Friday, 31 October; in and about Parramatta, at Government House there, on Monday, 3rd November; in and about Hawkesbury, at Mr. Grimes's, on Thursday, 6th November. Assigned
servants.

Such persons as do not attend will be deprived of their servants. This Order does not include those officers and others who may have signed for their respective convicts.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Monday, 27th October, 1800. 27 Oct.

THERE being only one captain of the New South Wales Corps to do duty at headquarters, Lieutenants Piper and McKellar are to have the local rank as captains. Captains of
the Corps.

Licences to sell and vend excisable liquors by retail will be granted to those recommended by the magistrates to the Governor on the 1st day of November annually; and whoever retains liquors in their houses for sale and retail without a licence shall forfeit £10 for each offence, and in case of refusal or neglect to pay the same, being lawfully demanded, shall be committed to hard labour on board the hulk for two months. The justices by whom such conviction is made may commit as above instead of levying the penalty. And if any person not authorised retail strong drinks they will not only be subject to the above penalties but also forfeit all such strong drinks found in their custody, or in the house where such offence was committed. And if any person shall again offend in like manner, exclusive of the above penalty, they will be kept to hard labour for the space of three months on board the Supply hulk. Magistrates may grant their warrants to constables to enter and search houses, and other places, occupied Retailing
spirits.
Penalties.
Search
warrants.

- 1800** by those guilty thereof, and seize all such strong drinks as they find until the matter of the offence is determined; and in case the offender be convicted the liquor so found will be forfeited, half to the informant and half to the Orphan Fund.
- 27 Oct.**
- Publicans' recognizances.** Those who receive licences are to enter into recognizances, with two sufficient sureties in £10 each, and themselves in £20, that the due assize of weight and measure of all victuals or liquor so allowed to be vended be kept and well and truly observed; and that no gambling, drunkenness, or other disorders be allowed of within their premises, but that good rule be maintained and kept, according to the existing and future regulations of this territory on that behalf.
- Hours for the sale of spirits.** Persons licensed as victuallers or retailers of spirituous liquors or other strong drinks, entertaining any person from the beating of the taptoo until the following noon, or during Divine Service, will be deprived of their license and incur a penalty of £5, half to the informer and half to the Orphan Fund. No trust or credit is to be given to any person whatever for liquor, or any other tavern reckoning, in any sum exceeding 20s., under the penalty of losing such debt; and in case they shall persevere to sue any such persons, knowing them to be soldiers, seamen, servants, or prisoners in Government employ, all such actions and suits shall be void, and the persons sued, or officers on behalf of soldiers and seamen, masters or mistresses on behalf of servants, and prisoners in their own behalf, being sued, shall and may plead this ordinance in barr, and the plaintiff shall be nonsuited and pay treble charges. Each person taking out a license will pay the sum of three pounds sterling to the treasurer of the Orphan Fund, and two shillings and sixpence to the clerk that makes out such license.
- No credit above 20s. to be given.**
- Smuggling.** There being much reason to suppose that spirits have been improperly landed and concealed at Farm Cove, and in other parts of the harbour, from whence they have been occasionally removed, no greater quantity of spirits or wine than half a gallon will be allowed to be removed from any one place or house to another without a permit, signed by the Governor, or officer in command at Sydney, and the magistrates at Parramatta and Hawkesbury. Two-thirds of the spirits or other strong drink thus seized will be given to the person making the seizure, and the other third to the Orphan Fund.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

28 Oct.
The Corps
reviewed.

Tuesday, 28th October, 1800.

THE Governor having reviewed the New South Wales Corps this day, is happy in the opportunity thus afforded him of signifying his marked approbation of the exactness and soldier-like behaviour

of the regiment, which would do credit to the oldest regiment in His Majesty's service, nor can the Governor be unmindful of the unremitting attention of their lieutenant-colonel and officers in rendering them thus respectable, which, while it reflects great credit on the soldiers, does honor to every officer in the regiment.

1800

28 Oct.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Sydney, 31st October, 1800.

31 Oct.

OFFICERS and others, to whom the labour of prisoners is assigned, are to conform to the following conditions, viz.:—To maintain and clothe such as they employ; to give them a ration and clothes equal to that issued from the stores, for which they are to perform a Government task, as subjoined. And if the master can give them employment for the remainder of the time at the established rate they are to do his work in preference to any other person's.

Officers' assigned servants to be fed and clothed.

The master to provide them a sheltered lodging on his farm, or at his habitation, from which they are not to absent themselves without leave, nor in any case to go from one settlement to another without a pass from a magistrate.

Proper shelter to be provided.

If the master or his overseer has just cause to complain of a neglect of work, or their servants not obeying their orders, or absenting themselves from their farms without leave, they are to report it to a magistrate, and on conviction the delinquents will receive a punishment equal to the offence.

Offenders, how dealt with.

Attention will be paid by the Governor to those thus employed, proportionate to their honesty, diligence, and the recommendation of their employers, in preference to those of that description who may merit punishment, or who may be complained of, of which an account will be kept. And as it may not be in the power of every employer to furnish the servants assigned them with cloathing or animal food, on application to the Governor the stores will furnish the proportion of cloaths and ration of salt meat issued to those at public labour from the public stores, provided the employer signs an obligation to return the value thereof (either in money, wheat, or animal food, at the price those articles are received into the stores, hereafter stated) to the Commissary on or before the 31st of December annually.

The industrious to be encouraged.

Advances from the stores.

Every person secreting, or employing prisoners or others during the time of public labour, without leave from the Governor, if they are employed at Government work, or from their respective masters, if employed by and assigned to individuals, will be punished for a breach of Public Orders and the injury the public receives thereby.

Screening convicts.

1800
31 Oct.
Convicts'
substitutes.

In case of sickness rendering it absolutely necessary to remove such servants to the hospital for cure, the master may have another man on the above terms if the servant remains in the hospital more than a fortnight.

Charges for
clothing and
stores.

Charges which the Commissary is directed to make for cloathing or animal food, supplied as a ration from the public stores to prisoners whose labour is assigned to officers and others, to whom the Governor may grant that indulgence, are as follows:—Cloathing to be charged at the English price, without the advance of 25 per cent.; salt beef, 9d. per lb.; salt pork, 1s. 3½d. per lb. These charges are in proportion to those which Government pays for animal food to the settlers. The annual charge of a full ration of animal food will be £13 13s. 0d.

Task-work for the Servants of the Crown employed by Government and Individuals.

		Per acre.	Week's work.
Convicts' task-work.	Falling forest timber...	£0 10 0	1 acre.
	Burning off ditto ...	1 5 0	65 rod.
	Breaking up new ground ...	1 4 0	65 rod.
	Breaking up stubble or corn ground	0 13 4	130 rod.
	Chipping in wheat ...	0 6 8	1 acre and an half.
	Reaping ditto ...	0 8 0	1 acre 60 rod.
	Threshing wheat ... per bushel	0 0 7	18 bushels.
	Planting corn ... per acre	0 6 8	1 acre and an half.
	Hilling ditto ... per acre	0 6 8	1 acre and an half.
	Pulling and husking ditto per bushel	0 0 5	25 bushels.
	Pale splitting, 6 feet ... per hundred	0 2 6	800 (2 men).
	Ditto, of 5 feet ... per hundred	0 2 0	1000 (ditto).

Daywork is 9 hours per day for 5 days, and 5 hours on Saturdays. If a master employs any of his men in their own time, to pay 10d. per day for the labor of each.

PHILIP GIDLEY KING.

6 Nov.
Norfolk
Island.

STATE of the Settlement on Norfolk Island, November the 6th, 1800.

Civil Department.—1 Acting Lieutenant Governor, 1 Deputy Judge Advocate, 1 Acting Deputy Commissary, 1 Acting Principal Surgeon, 1 Deputy Provost-Marshal, 2 superintendants, 2 children above 10 years of age, 6 children above 2 years of age.

Military Department.—*1 captain, 2 lieutenants, 2 ensigns, 4 serjeants, 4 corporals, 3 drummers, 81 privates, 3 women, 1 child above 10 years of age, 1 child above 2 years of age, 1 child under 2 years of age.

People not victualled from the Public Stores.—205 men, 60 women, 4 children above 10 years of age, 47 children above 2 years of age, 15 children under 2 years of age.

Free People.—6 men, 5 women, 9 children.

Settlers from.—7 free people, 22 convicts.

Emancipated.—18 men, 7 women.

* Major Foveaux's name is omitted from the military part of this return, he being there in a civil capacity, as Lieut.-Governor.

APPOINTMENTS TO THE PORPOISE.

253

Convicts.—175 men, 97 women, 25 children above 10 years of age, 127 children above 2 years of age, 31 children under 2 years of age. 1800

Number on the different Rations.—314 whole, 105 two-thirds, 138 half, 33 quarter. 6 Nov.

Victualled from the public stores, 590.

Whole number at full ration, 472.

Number in the settlement, 953 (519 males and 434 women and children).

Week's Provisions at the established Ration in Store.—Wheat (as flour, 6½d.), 10 lb.; maize (as flour, 3½d.), 10 lb.; beef, 4½ lb.; pork, 15½ lb.; pease (maize as pease), 10 lb. Rations at Norfolk Island.

W. N. CHAPMAN,
Act'g D'y Commissary.

APPOINTMENT TO H.M.S. PORPOISE.

6th November, 1800.

HAVING received a Commission from the Right Honorable the Lords Commissioners of the Admiralty, dated the 6th February, 1800,* appointing me captain of His Majesty's armed vessel Reliance; and as that vessel, as well as His Majesty's armed vessel Buffalo, are gone to England, and the good of His Majesty's service requiring that I should appoint myself captain of His Majesty's armed vessel Porpoise: King appoints himself

I do therefore take upon myself the charge and command of captain in her accordingly, strictly charging and commanding all the officers and company of the said armed vessel to behave themselves jointly and severally in their respective employments with all due respect and obedience unto me, their said captain, holding myself accountable to observe and execute the general printed instructions, and such orders and directions as I may from time to time receive from the Right Honorable the Lords Commissioners of the Admiralty, or any other my superior officers for His Majesty's service. commander of the Porpoise.

Given under my hand, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO LIEUTENANT SCOTT.

6th November, 1800.

WHEREAS it is necessary for the furtherance of His Majesty's service in this colony, that the second in command should have rank on board this ship as a lieutenant in His Majesty's Navy, and that the same may be of no prejudice to your future prospects as a master in His Majesty's Navy:

You are therefore hereby required and directed to take upon you the charge of lieutenant and commander, in my absence, of His Majesty's armed vessel Porpoise, strictly charging and commanding Lieutenant Scott.

* Ante. p.50.

1800 all the officers and company of the said ship to behave themselves
 6 Nov. jointly and severally in their respective stations, with all due respect and obedience unto you, their said lieutenant and commander; and you also to follow such orders and directions as you may from time to time receive from me, or any other your superior officer, for which this shall be your authority.

Given under my hand, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

7 Nov.
 Commissary
 Palmer.

Friday, 7th November, 1800.

Mr. Commissary Palmer having arrived will take upon him the charge as Commissary.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

9 Nov.
 Seizure of
 the sloop
 Norfolk.

Sunday, 9th November, 1800.

IN consequence of the daring seizure of the Norfolk sloop by a party of convicts in the Hawkesbury, no boats or decked vessels are to sail from hence to the Hawkesbury, or from thence to this place, without giving three days' notice to the Governor or officer in command at those places, and to wait for two or three other vessels going at a time. Should any future attempts of that kind be made, the people belonging to those vessels are, on pain of the most exemplary punishment, to cut away their masts and rigging before they are boarded, and, if possible, to run them ashore and bilge them, for which purpose each vessel must be provided with an axe or tomahawk.

Probable
 fate of the
 escapees.

On this occasion the Governor finds it necessary to forewarn any convicts from attempting such a scheme in future, as nothing but inevitable destruction awaits those who have seized the Norfolk. If they escape the almost certain dangers they have to encounter from a leaky vessel, rotten sails, no means of procuring water, and neither compass, chart, or quadrant; if they are so fortunate to avoid the bad consequences of these wants, and dissensions among themselves, they are sure to meet their fate, not only in any British settlement but also in their native country, the Governor being determined to inform the different Governors of His Majesty's and the Company's settlements of the description of these people, and also the magistrates of the different places in England and Ireland where they were convicted.

No leniency
 in future.

It is to be understood that no pardon will be extended to those who may make any future attempts, and that any person knowing of such a plan, or any other, who does not instantly inform the nearest magistrate, or officer in command thereof, will be indicted for a felony.

The Commanding Officer of His Majesty's armed vessel Porpoise is directed to stop all vessels going out of the Cove to produce their pass from the Governor or officer in command. 1800 9 Nov.

PHILIP GIDLEY KING.

GOVERNOR KING TO LIEUTENANT SCOTT. (King Papers.)

Memo. Sydney, 10th November, 1800. 10 Nov.
THE Commanding Officer of H.M. arm'd vessel Porpoise is to stop all rigg'd vessels leaving the Cove or going past towards the Heads, but not to intermeddle with rowing boats. Such rigg'd vessels as have the Governor's pass are to be allowed to proceed. The daily passage boats to Parramatta are not to be stopped. Vessels to have passports.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Thursday, 13th November, 1800. 13 Nov.
To prevent litigious disputes, and consequent vexatious complaints, it is hereby ordered that no claim of property be admitted by the Civil Court of Judicature, unless the parties enter into written agreements between each other, or enter them in books which will be kept for that purpose by the following persons, each agreement being entered in the most concise and clear manner, and witnessed by one person not a convict:—At Sydney, by Michael Robinson, at the Judge-Advocate's, and Sergt.-Major Jamison for the military; at Parramatta, by — Mann, schoolmaster; at Hawkesbury, by Andrew Thompson. Parol agreements no cause of action.

The parties making these agreements are to pay sixpence for each to the above persons for their trouble, who are to shew these books to the principal magistrates every Saturday, when their signature is to be affixed to the week's entries. Registers to be kept.

This Order is to be in force from the 27th instant.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Sunday, 16th November, 1800. 16 Nov.
THE slop clothing that will be issued next week to the public labourers, being the property of the Crown, both before and after it is issued, every person is cautioned not to purchase any article thereof, under pain of being prosecuted. And if any prisoner sells the cloathing that is designed for his comfort, he will receive a punishment proportionate to the offence. Convicts' clothing.

PHILIP GIDLEY KING.

1800

GOVERNMENT AND GENERAL ORDER.

18 Nov.

Tuesday, 18th November, 1800.

Restrictions
on persons
leaving the
colony.

No person whatever is to leave this colony without giving a week's notice to the Governor or officer in command at headquarters.

Every person having claims on those going to leave this colony are to make them before the ship or vessel leaves the Cove.

No ship is to leave the Cove until the Naval Officer certifies that a week's previous notice has been given to the inhabitants.

All children throughout this colony are to attend muster at the following places, on Saturday, the 29th instant, at 8 o'clock.

Those in and about Sydney, at Government House.

Ditto Parramatta, at the Court House.

Ditto Hawkesbury, at Mr. Grimes's.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

19 Nov.

19th November, 1800.

The cur-
rency.

WHEREAS representations of the want of small money experienced here have induced His Majesty to take into His gracious consideration the immediate relief from this great inconvenience to all classes of his subjects in this colony, a quantity of copper coin has been received in His Majesty's armed vessel Porpoise and Royal Admiral, and will be circulated by being paid for grain and animal food supplied His Majesty's stores.

A twopence
coin.

These are therefore to give notice that a copper coin, weighing one English ounce, and stamped with the profile of His Majesty on the one side, and of Britannia on the other, will be issued as above at the rate of twopence for each copper; and that the same shall pass current in the colony, and is to circulate at the afore-said rate of twopence.

The legal
tender.

And that no one may plead ignorance of the rate or legality of this or any other of the coins circulating in this colony, of which it does not appear that any regular proclamation has ever collectively been issued, I have judged it most expedient herewith to publish the following table of all the specie legally circulating in this colony, with the rates affixed to each, at which they shall be considered and be a legal tender in all payments or transactions in this colony.

Table of
specie.

	£	s.	d.		£	s.	d.
A guinea ...	...	1	2	0	A rupee ...	...	0 2 6
A half-Johanna ...	...	2	0	0	A Dutch guilder ...	...	0 2 0
A gold mohur ...	...	1	17	6	An English shilling ...	...	0 1 8
A Spanish dollar ...	...	0	5	0	A copper coin of 1 oz.	...	0 0 2
A Johanna ...	...	4	0	0	Ditto $\frac{1}{2}$ oz.	...	0 0 0
A ducat ...	...	0	9	6	Ditto $\frac{1}{4}$ oz.	...	0 0 0
A pagoda ...	...	0	8	0			

When a sufficient quantity of copper coin is received in the colony, of which notice will be given, no private notes or goods will be allowed to circulate. 1800
10 Nov.

This supply of copper having been sent to relieve the inconvenience of persons requiring to make small payments, no persons are to collect the same for the purpose of making large payments, nor shall it be deemed a legal tender to offer the same in payment for any sum exceeding five pounds. Copper coin for small amounts only.

And it is hereby declared that the exportation or importation, except from His Majesty's Treasury, of any sum exceeding five pounds of the above-named copper coin, shall be punished by fine of treble the value, and forfeiture of the sum exported or imported. Coin to be kept in colony.

Given under my hand, at Government House, Sydney,
November 19th, 1800. PHILIP GIDLEY KING.

GOVERNOR KING TO SIR JOSEPH BANKS. (Banks Papers.)

Dear Sir, Sydney, N.S. Wales, 20th November, 1800. 20 Nov.

After the letters I wrote you by the Buffalo, I have but little to add, nor indeed have I more than two hours to write my letters, which will go by an American that is put in here to wood and water on her way to China. The Royal Admiral, with the Porpoise, have arrived here in the course of the month, and I am sorry to say that not one of the plants planted in England has arrived. There are a few Cape plants, such as vine cuttings and a mulberry or two. When the length of time is considered that they have been on board, it may favor Suter's account of their all perishing at the root. Sorry I am not to be able to give you a better account of what has cost you so much labour and expence, exclusive of the anxiety you, as well as myself, have felt. I have directed the plant-cabbin to be taken down, as it was much in the way; but it has been done so carefully that when the Porpoise goes to the Cape, which will be next season (about September); it shall be put up again, and such plants as Paterson may recommend shall be sent. They will be planted in May, so that they will have five months' growth before they are embarked, and as we have no embargoes or other detentions here, I hope, and do not doubt, they will get as far as the Cape; they will be delivered to Sir George Yonge, and a duplicate will be sent to you. Those plants that are healthy I shall request him to forward by the first safe conveyance, and to let those that are sickly remain until another opportunity; but I think it would ensure the safe arrival of these things in England if the commanding naval officer at the Cape could be intrusted to order a temporary cabbin to be erected in a convenient part of any store-ship or man-of-war returning to England, and the plants when on board to be put under the care of some men used to gardening, which it seldom happens a King's ship is without some men of that description. A chance conveyance. Loss of English plants per Porpoise. Removing the plant cabin. Native plants for England, to be conveyed via the Cape.

1800
20 Nov.
—
Caley
and Suttor.

Caley's box of stationery is now arrived. I am afraid his he is turned. I gave him ten pounds a few days ago, for which have taken the liberty of drawing on you, and have desired agent to give you the voucher, as also the voucher for fifty R dollars, which was an expence incurred by Suter at the Cape of the garden with the sanction of Sir George Yonge. If you have no money in hand for this purpose, I do not see why you should pay it. I have, therefore, paid Mr. Palmer, who discharged the bill.

The
northern
coal-fields.

We are going on, in digging for coals, but as yet without success altho' the miner seems confident of succeeding. Great abundance of coals are to the northward of this, between Broken Bay and Port Stephens, in two inlets, which are only accessible to vessels of ten or fifteen tons. If we can get them nearer it will be more convenient, which I hope will be the case; if not, a small settlement must be made there, and coals got from thence by small vessel. As the Buffalo is gone home, I have no other vessel to load the Porpoise, which will not take more than 120 chaldrons. We have no news of the Lady Nelson yet. She was left at the Cape by the Porpoise, but I fear the commander did not get the orders to pass through Bass's Straits from the westward before she sailed. If it should be so, I shall dispatch him on that service as soon as possible; she can be fitted after her arrival.

The Porpoise
as a collier.

The naval
command.

A commission was sent out to me by the Porpoise to command the Reliance, but as both that ship and the Buffalo are gone home I have appointed myself to the command of the Porpoise, which I hope will be confirmed, and I will be obliged to you to speak at it at the Admiralty.

Caley has nothing to send by this conveyance; indeed, if he has it is such a random shot that I should not forward it. An opportunity will present itself about May or June in a return whaler, until when I beg to subscribe myself,

Yours, &c.,

PHILIP GIDLEY K

Suter is looking out for a situation. In the meantime comfortably lodged.

GOVERNMENT AND GENERAL ORDER,

Thursday, 20th November,

Stores open
10 a.m. to
noon.

THE Commissary is directed not to open the stores but to keep them open after twelve o'clock in the forenoon, and is ordered to issue any article of which there is an instance.

Clothing to
convicts.

He is also directed to issue on Tuesday next a proper one military jacket, one shirt, one pair of trousers, one frock, one pair of breeches, one hat, one pair of stockings, cloth cap, to each male prisoner victualled from the prison.

The same proportion to be issued to overseers, watchmen, clerks, and people serving in the provision stores, excepting the jacket being a blue one, and the addition of a pair of shoes as far as they will go. 1800 20 Nov. Clothing to overseers, to prisoners off the store.

Those who have prisoners off the stores will be furnished with slop cloathing in the above proportion on Tuesday, the 2d of December, on their becoming bound to pay for the same in wheat on or before the 1st of next February.

The prisoners and overseers, &c., will be served their slops at the places where they are respectively victualled at on Saturday, the 22nd instant, for which purpose correct lists are to be made, and submitted to the Governor's inspection on Monday next, by eight o'clock in the morning, at Parramatta.

The Rev. Mr. Fulton will perform Divine Service at Hawkesbury on Sunday, the 7th of December next.

PHILIP GIDLEY KING.

CAPTAIN WILSON TO GOVERNOR KING. (King Papers.)

The Royal Admiral, Sydney Cove, .

21st November, 1800.

21 Nov.

I HAVE the pleasure to announce to your Excellency the safe arrival of the ship Royal Admiral under my command this day in Sydney Cove with convicts and colony stores on account of Government. I am sorry to state to your Excellency that in consequence of a fever, which showed its malignant effects at a very early period of the voyage, forty-three of the convicts have died on the passage, also one convict's wife. Their names I have mark'd in the list of convicts. I am, however, happy in that I think I can confidently say that such a degree of convalescency has taken place within this last month that I do not apprehend any bad effects can follow their mixture with the healthy colonists. Heavy mortality Convalescents.

I beg leave also to state to your Excellency that I am now ready to deliver the passengers, troops, convicts, and stores, and wait for your Excellency's instructions herein, to which and to all your Excellency's orders, I shall deem it my duty and honor to give satisfaction.

I am, &c.,

WM. WILSON.

GOVERNMENT AND GENERAL ORDER.

Wednesday, 26th November, 1800.

26 Nov.

His Majesty having been graciously pleased to direct that ten pipes of port wine be sent to this colony, for the use of the commissioned officers, civil and military, at the advance of 25 per cent. on the prime cost, clear of duties, the proportion for the distribution of this wine is :—For the Governor, 1 pipe ; the Acting Port wine for officers.

1800 Lieutenant Governors of Port Jackson and Norfolk Island, 1
 26 Nov. pipe; the other officers, civil and military, 1 pipe between four;
 payment for which, at the rate of £41 3s. 4½d. per pipe is to be
 made by the officers of the civil department by bills on the Colo-
 nial agent, by the military officers by bills on the regimental agents.
 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

28 Nov.

Friday, 28th November, 1800.

Smuggling ALL spirituous liquors and other strong drinks that are attempted
 spirits. to be smuggled from any ship arriving here will on condemnation
 be the exclusive property of the person or persons making the
 seizure.

Clothes from
the store.

The settlers may be supplied with a proportion of slops on Satur-
 day, the 6th ultimo, on paying into the stores wheat or maize, in
 proportion to the English price of the slops, with the advance of
 25 per cent., which, it is hoped, will prevent them from purchasing
 the convicts cloaths, as it is the Governor's determination to punish
 those who commit that crime with the utmost severity of the law.

George
Barrington.

Mr. George Barrington having, from infirmity, resigned his situa-
 tion as head constable, and in consequence of his great diligence
 and good behaviour since he has been in that situation, from his
 first arrival in the colony, the Governor has directed that half his
 salary be continued to him, and John Jennings is appointed head
 constable at Parramatta in his stead.

The sentence of the General Court-Martial is approved and the
 Court dissolved.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sydney, New South Wales,

29 Nov.

Dear Sir,

29th November, 1800.

General
state of the
settlement.

As I send this by a very uncertain conveyance I can only
 say that we are in general very quiet, altho' some discontent is
 expressed at the new regulations which I have found it necessary
 to make—and fortunately in the article of spirits. The Royal
 Admiral has brought 8,000 gallons of infamous poison; the Anne,
 I am told, has more than that quantity. I hope the measures I
 have taken will prevent much of it being landed, as I have a very
 good look-out kept.

Salt
provisions.

I much fear we shall fall short of salt provisions, from the arrival
 of the last numbers by the Royal Admiral and those expected by
 the Anne, altho' I am letting as many go off the stores as possible
 with such settlers as I think will take care and employ them.
 Do, my dear sir, send us salt meat, as this is the critical time to
 preserve and ensure the encrease of the stock.

I am sorry to say that the garden which was laid in with such an infinite deal of care and pains in the Porpoise is totally lost. Not a plant put into it in England has survived, which is to be attributed to the great length of time it was on board that ill-fated ship the Porpoise. Some few plants put into the boxes, altho' but very inconsiderable either in number or utility. When the Porpoise goes to the Cape next year it is my intention to send the garden filled with the plants of this country, which I think and hope will ensure their getting so far as the Cape, after which they must find their way as well as they can, and I hope, sir, Gov'r Yonge will take care to send them by a good conveyance.

1800

29 Nov.

The garden
on H.M.S.
Porpoise.

I have mentioned the progres we are making in boring for coals. I sincerely hope it will succeed; still, we are only searching for them, as the places where they are now known to exist is inaccessible to vessels.

Boring for
coal.

I hope the demand by the Buffalo for different articles will be granted as soon as possible, as we shall be much in want of many of these absolute necessary articles long before a supply can arrive. Be assured of their being managed with the greatest œconomy, notwithstanding the many obstacles I meet with.

H.M.S.
Buffalo.

I have to thank you for your interference in getting me the appointment as captain of one of His Majesty's ships on this station, which I feel the benefit of in more ways than the pecuniary advantage it is to my shattered means. It gives an additional respectability to the character of the Governor, and I hope you will be so good as to speak to Mr. Nepean at your leisure for the appointment of myself to the Porpoise being confirmed. I have not been able to go into detail respecting our present situation and prospects. If the discontented Irish will let us alone we shall do well. They are quiet now, but we are given to understand that the arrival of the Anne and her insurgents will open a new field. I see no danger, and shall not be backward in putting an effectual stop to any attempt of that kind. I am, &c.,

King's rank
in the Navy.

PHILIP GIDLEY KING.

I apprehend there has been some mistake or want of communication between the Treasury and your office respecting the Commissary's drawing bills, and, indeed, the whole of those instructions. Nevertheless, I trust controul will not be wanting.

The Com-
missary.

GOVERNOR KING TO SECRETARY NEPEAN. (King Papers.)

Sydney, New South Wales,
30th November, 1800.

30 Nov

Sir, I have to acquaint you that His Majesty's arm'd vessel Porpoise arriv'd here the 6th Nov'r. By that ship I received a commission from their Lordships appointing me captain of His Majesty's arm'd vessel Reliance. As that ship was order'd to

The arrival
of the
Porpoise.

1800
30 Nov.
—
King appoints himself captain, and Mr. Scott acting lieutenant.

The appointments advantageous.

Troops for Norfolk Island.

Coal for the Cape.

England by Governor Hunter before my arrival here, and as he has taken the Buffalo home with him, I have taken it upon me to appoint myself captain of His Majesty's arm'd vessel Porpoise, as such an appointment is absolutely necessary for conducting the naval service of this colony; and as the duties of my office as Governor requires my general attendance on shore, I have taken it upon me to appoint Mr. Wm. Scott, master in the Navy (and who brought the Porpoise out under the Navy Board direction and no other naval officer being here), to act as lieutenant and commander of that vessel in my absence, but without any additional pay or wish on his part to be confirmed as a lieutenant. Exclusive of the additional respectability this appointment gives to the naval service in this colony, this Government will derive great advantages therefrom, as it will furnish another member for the Criminal Courts of Judicature.

The Porpoise is now fitting to carry the relief of troops for the service of Norfolk Island, some convicts, and stores, and it is my present intention to send her to the Cape of Good Hope next season with as many coals as she can carry, and bring back such cattle as she can stow.

As I send this by a very doubtful conveyance, I shall forbear stating any further particulars until I have a more certain opportunity.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

30th November, 1800.

My Lord,

An American vessel.

Arrival of the Porpoise.

Her voyage from the Cape.

An American ship which put in here to wood and water on her way to China, gives me an opportunity of writing a short letter as her stay here is only two days, which will not allow me my stating any other particulars respecting the colony than what I had occasion to mention in my despatches by Governor Hunter. We are very quiet, and have had a tolerable good crop of wheat for the small quantity of ground sowed, the harvest of which is now getting in. His Majesty's armed vessel Porpoise arrived here the 6th instant. By that ship I received a commission appointing me to the command of His Majesty's ship Reliance; but from the circumstance of that ship, as well as the Buffalo being ordered to England by Governor Hunter, I have wrote the enclosed letter to Mr. Nepean informing him that I had appointed myself to the command of His Majesty's armed vessel Porpoise; and I respectfully hope that this proceeding will meet your Grace support and approbation.

The Porpoise (in which ship Mr. Commissary Palmer arrived) left the Lady Nelson at the Cape of Good Hope, refitting.

* See King's appointment of himself as first captain of the Porpoise, ante, p. 253.

proceed hither; but as the commander had not then received your Grace's instructions to pass through the straits that separates New Holland from Van Dieman's Land, I am apprehensive he will have left the Cape before he gets those orders. 1800
30 Nov.

The Royal Admiral arrived here the 20th instant, having lost forty-nine convicts in her passage of the jail fever, and many of those who were landed from her are in such a weak state that I do not think much labour will be got from them for some time, altho' it is but common justice to the master to observe that no complaint has been made of any improper treatment. The Royal
Admiral.

The Royal Admiral left the Anne with 150 Irish convicts at Rio Janeiro, and was soon to follow. Those convicts had been very troublesome and mutinous. On this ship's arrival it is my intention to send the Porpoise to Norfolk Island with the relief for the soldiers stationed there, and the most mutinous of the convicts whom the master of the Anne may point out. I shall also send those who are now in confinement, as stated in my letter to your Grace by the Buffalo. Convicts for
Norfolk
Island.

We have begun boring for coals in the neighbourhood of this place with some prospect of succeeding, and should that be the case I intend sending as many coals as possible by the Porpoise to the Cape next year as this is too far advanced. The quantity she will carry will not exceed 100 chaldron; but I hope a more capacious ship like the Buffalo will be sent to this colony which will enable me to send a greater quantity of that valuable article to the Cape than can possibly be done now for the want of a vessel. Boring for
coal near
Sydney.

As this conveyance is a very uncertain one, I shall not trouble your Grace with any further detail respecting the colony, and have the honor to be, &c.,

PHILIP GIDLEY KING.

Judging it my duty to make the representation contained in the enclosure addressed to the joint secretaries of His Majesty's Treasury, I take the liberty of submitting it to your Grace's consideration and have to request your directions thereon.* An
enclosure.

P.G.K.

GOVERNMENT AND GENERAL ORDER.

Monday, 1st December, 1800. 1 Dec.

No boats with private property are to be allowed to land at the Hospital Wharf† before 6 in the morning, nor after 3 o'clock in the afternoon, or at any other place in the harbour. The
Hospital
Wharf.

PHILIP GIDLEY KING.

* This enclosure is not available.

† The Hospital Wharf was situated at the foot of what is now Pitt-street. On 18th December, 1813, the name was altered to "King's Wharf," and shortly after the accession of Queen Victoria it was known as Queen's Wharf; finally, it was made a part of the present Circular Quay.

1800

GOVERNMENT AND GENERAL ORDER.

3 Dec.

Wednesday, 3rd December, 1800.

Permits for
landing
spirits.

ALL permits for landing spirits or strong drinks from on board ship are to be returned to Naval Officer or Clerk Assessor on the evening of the day when such payment is signed.

The stores at Parramatta and Sydney will be open after next Saturday, to receive wheat and maize, in payment for debts due to the Crown previous to the 28th of September last.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

10 Dec.

Wednesday, 10th December, 1800.

Unjust
claims.

It appearing that many unjust demands have been made on the effects of those who have died, or left the colony; and as the Orders of the 13th of November* are calculated and designed to substantiate all claims whatever, public notice is hereby given that no payment will be made of any deceased or absent person's property unless a written agreement be produced, which may always be done by the means pointed out in the orders of the 13th of November, viz., to enter all agreements in the books kept by the person therein designed.

PHILIP GIDLEY KING.

SIR ROGER CURTIS TO GOVERNOR KING. (King Papers.)

12 Dec.

Sir, Cape of Good Hope, 12th December, 1800.

Refractory
marines.

Captain Elphinstone, of His Majesty's ship the *Diomedé*, having at Rio de Janeiro put on board the transport *Ann* several men to be brought to this place for my disposal, and two of whom† (William Abrams and John Davies) are of such daring, mutinous, and infamous characters, that I judged it to be highly dangerous to His Majesty's service they should be retained in any of the ships of my squadron, I have directed Captain Stewart to keep them on board the *Ann*, and upon his arrival at New South Wales, dispose of them as your Excellency may deem most proper. Sensible of your zeal for His Majesty's service, I doubt not of your taking suitable measures respecting these men, and excuse the trouble I give you on the occasion. I have, &c.,

ROGER CURTIS.

GOVERNMENT AND GENERAL ORDER.

Friday, 12th December, 1800.

The ration.

THE following ration of dry provisions will be issued until further orders:—To all males—Thirteen pounds and half of wheat, or ten pounds and half of meal.

* Ante, p. 255.

† Lieutenant-Colonel Paterson refused to accept these men as members of the New South Wales Corps.

Mr. Deputy Commissary Laycock having obtained the Governor's permission to resign that situation, Mr. William Neate Chapman, Storekeeper and Acting Deputy Commissary at Norfolk Island, will be appointed Deputy Commissary in the room of Mr. Thomas Laycock on the Porpoise's return from Norfolk Is'd.

1800

12 Dec.

Deputy-
Commissary
at Sydney

Mr. William Broughton, Storekeeper at Parramatta, is appointed Storekeeper and Acting Deputy Commissary at Norfolk Island, with a promise that if he chooses to return to this place, in case of Deputy Commissary Clarke's return to Norfolk Island, he will resume his former situation here.

and Norfolk
Island.

Mr. William Sutter is appointed to act as Storekeeper and Acting Deputy Commissary at Parramatta.

PHILIP GIDLEY KING.

SIR JOSEPH BANKS TO ROBERT BROWN.*

Sir,

Soho-square, 12th December, 1800.

A ship is this day ordered to be fitted out for the purpose of exploring the natural history (among other things) of New Holland, and it is resolved that a naturalist and a botanic painter shall be sent in her.

The voyage
of the In-
vestigator.

The salary of the naturalist will be £400 a year, and I conclude that the expences of his mess, &c., cannot cost him so much as £100. If you chuse to accept the appointment I will certainly recommend you; but if you do it will be necessary for you to come here as speedily as you can, for the Admiralty are inclin'd to use great expedition in this outfit, and say that they will be ready for the next convoy, which will sail at the latter end of this month. At all events, however, you may depend upon it that I will not recommend any other person till I have heard from you; and I hope you will be the messenger of your own answer. The voyage will, I conclude, last three years at least.

Banks offers
to recom-
mend Brown
as
naturalist.

JOS. BANKS.

GOVERNMENT AND GENERAL ORDER.

Sunday, 14th December, 1800.

14 Dec.

THE Governor requests that the remains of the late Richard Dore, Esq., Judge-Advocate of the territory, may be attended to the place of interment by the civil and military, with such attentions as are suitable to his rank in the colony. The corpse will leave its late residence at 8 o'clock to-morrow morning.

Death of the
Judge-
Advocate.

PHILIP GIDLEY KING.

* The original of this letter is in the British Museum. Robert Brown was the celebrated naturalist. He accepted Banks's offer, and accompanied Flinders in the Investigator.

1800

A CONSPIRACY AT NORFOLK ISLAND.

Meeting of Officers.

14 Dec.

Norfolk Island, 14th December, 1800.

A meeting of officers.

BE it remembered that this day Major Joseph Foveaux, Acting Lieutenant-Governor of this island, convened all the officers together, both civil and military, for the purpose of communicating to them some very important information which had this morning been given to him, and further for the purpose of collecting their sentiments with regard to the steps that would be most advisable for him to take in consequence thereof.

A conspiracy amongst the convicts.

The information is as follows, vizt. :—That a number of convicts, amounting to one hundred, had entered into a plot or conspiracy to liberate themselves and their fellow prisoners, and forcibly to take possession of the island; that the plan they had formed to carry such plot into effect was to put to death the Acting Lieutenant-Governor and all the officers, and also such other persons, even women and children, who would not assist them in forwarding their wicked designs; that one hundred pikes were made with which they were to be armed on that occasion, and that a number of them would be found in a place which the informant then pointed out; that J—— W—— and P—— M—— both Irishmen, were the two most active people; the first had also been seen making the pikes, and the latter in selecting and swearing in such persons as he thought most fit for their purpose; that everything was ready, and that no time should be lost if the Major intended to put a stop to such a scene of bloodshed as was at that time in meditation.

The ring-leaders.

The informers.

The Major then observed to the gentlemen that he had promised not to give up the author of the information, but brought before them Thomas Hodges, who was present at the time the information was given, who corroborated what has before been stated.

(This fourteenth day of March, 1801, came before me Henry Grady and Thomas Hodges; the former on oath declared the within information to be the same which he had first given to Major Foveaux, and the latter corroborated it.)

T. HIBBINS,
Judge-Advocate.

Discovery of pikes.

The Major further observed that he had found thirty pikes in the place where the informant had described them to be; that P—— M—— was transported for life for sedition; that J—— W—— was also a convict, and had within this month arrived here from Port Jackson, from whence he was sent for being concerned at that place in a conspiracy of the same nature; that other information had come to his knowledge which very much strengthened what he had before heard, and made it appear

Additional information.

to him that some immediate and decisive steps should be taken for the punishment of the ringleaders in the present business, and also to deter others from similar wicked practices, as well as for the future tranquility of the island. The Major, therefore, requested that the gentlemen assembled, whose names are subjoined, would give him their opinions what steps appeared to them most proper to be taken, considering and allowing for the circumstances and situation of the island and the inhabitants thereof, who, being perfectly convinced of the truth of the information before them, unanimously agreed that an immediate example of capital punishment should be made of the two ringleaders, P—— M—— and J—— W——, as well as such others whom it could afterwards be proved were concerned with them.

1800

14 Dec.

Ringleaders
to be hanged.

THOS. HIBBINS, Judge-A.,
THOS. DAVIES, Lieut., N.S.W. Corps,
WILLIAM PATTULLO, Lieut., N.S.W. Corps,
JOHN BRABYN, Ensn., N.S.W. Corps,
NICHOLAS BAYLY, Ensn., N.S.W. Corps,
JAMES MILEHAM, Surgeon.

Signatures.

And be it also remembered that the Judge-Advocate, or any other person on this island to his knowledge, is not now in possession of, or ever has been supplied with, any of the late Acts of Parliament relating to high treason, sedition, unlawful assemblies, the administering of illegal oaths, &c., and therefore the speedy trial of the offenders is impracticable.

A legal difficulty.

T. HIBBINS, J.-A.

A true copy of the original.—T. HIBBINS, J.-A.

GOVERNMENT AND GENERAL ORDER.

Monday, 15th December, 1800.

15 Dec.

THOSE indebted to the late Richard Dore, Esq'r, Judge-Advocate to the territory, are to deliver an account thereof to Captain McKellar, and make payment thereof to that gentleman on or before the 31st instant.

Dore's
debtors

And those to whom the above estate is indebted are to lay in their claims on Saturday next, and to prove them by a regular book entry or other unquestionable proof as directed by the Order of the 10th instant.

and creditors.

The following priority for the discharge of deceased persons' debts, due to residents or agents in the colony, is in future to be observed as far as they have assets, viz. :—1st, medical attendance (where claimable) and funeral expenses; 2d, debts and duties due to the King; 3d, judgments; 4th, debts due by recognizances, 5th, rents; 6th, obligations, bills, fiscal and protested bills of exchange; 7th, single bills; 8th, servants' and workmens' wages;

Marshalling
the assets.

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The information is as follows, vizt. :—That a conspiracy amounting to one hundred, had entered into a plot to liberate themselves and their fellow prisoners, take possession of the island ; that the plan to carry such plot into effect was to put to death the Lieutenant-Governor and all the officers, and also even women and children, who would not assist in their wicked designs ; that one hundred pikes which they were to be armed on that occasion of them would be found in a place which was pointed out; that J—— W—— and both Irishmen, were the two most active persons seen making the pikes, and the latter in such persons as he thought most fit for everything was ready, and that no time should be intended to put a stop to such a scene of bloodshed in meditation.

The ring-
leaders.The
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Additional
information.

and workmen's wages

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Marshalling
the assets.

1800 9th, merchants and tradesmen, book-debts, arrears of accounts
15 Dec. which said payments are to be allowed by the Civil Court of
Judicature.

But this is not to preclude or justify any executor's or administrator's refusal to discharge any just debts as the same shall come to their knowledge, without regard to the priority of the same, in payment after the expiration of twelve months from the decedent's death.

PHILIP GIDLEY KING.

LIEUTENANT JAMES GRANT TO GOVERNOR KING.

(King Papers.)

MEMORIAL of Lieut. James Grant, commanding H.M. brig *Lady Nelson*, to His Excellency Governor King, Captain-General, &c., &c.

16 Dec.

Sydney Cove, Tuesday, 16th December, 1800.

May it please Your Excellency,

Arrival of
the *Lady*
Nelson.

I am happy to inform you that the *Lady Nelson* is, through the blessing of God, this evening brought safely to anchor in Sydney Cove without loss or damage of any description whatever, and the crew in perfect health. It gives me infinite pleasure to have it in my power to inform you that the *Lady Nelson* is equal to any vessel as a sea boat. From the space of ocean she has crossed, and performing a passage to the Cape of Good Hope in the depth of winter, which took me up 97 days constantly at sea, during which time, it will be allowed, we were likely to meet with all the varieties of weather that is common in that quarter, and it is well known are dreadful in their kind at that season of the year. This, I presume, will argue more in her favour than any language I can make use of.

A good sea
boat.

Mishap at
sea.

A fast sailer.

The severity of the weather I met with in the vicinity of the Cape carried away the main and after keels of the vessel, which is the only loss we have met with from weather since we left England, excepting a steering sail boom lost overboard through carelessness when the vessel was laying too in a gale of wind. The vessel without the keel is perfectly safe and as eligible as ever, only it cannot be expected she can hold the same wind. Let that be as it will, I beat a sharp-built Spanish vessel into Table Bay, which I had met with at sea, taken off the River Plate by a privateer from the Cape.

After having made the land at daylight in the morning, it was my intention to go into False Bay, consequently tack'd and stood out to sea while she bore up for her respective port, but the wind shifting to S.E., and at times nearly calm, with a mountainous sea running, I found that it was not likely I should fetch False Bay that day, and having a port open, together with the risk

ran, if I stayed long out, of being driven off the coast at that season of the year without the keels, I judged it most prudent to secure the port in view, and at 11 a.m. I bore up, when I not only overtook my former companion, but having to beat into the bay I positively was to anchor before him. So much for her without keels. In seven days I had new one, made on the same construction, but fastened in a very different manner, according to my own direction, with the opinion and approbation of Sir Roger Curtis and the Superintendant Builder at that time, to whom I am indebted for part of the invention, and which I find from the weather I have had since I left the Cape is preferable to the original fast'ning, plans of which, with your Excellency's permission, I mean to lay before you.

1800

16 Dec.

A race into port.

The sliding keels.

The Lady Nelson is perfectly tight in her bottom, but I am sorry to say otherwise in her upper works, which has been the case ever since I left England; not from any fault of the construction, timber, or fast'ning, but their neglect of those who had the caulking of her.

Defaultive caulking.

As I had no carpenter on board I was obligated to attempt it myself and found that instead of the seems being fill'd with oakum they had absolutely substituted putty, to the great annoyance of everybody on board besides detriment to the ship and expence to Government, as I had not been a fortnight at sea before I found every spare sail in the ship damaged, which took up much time, canvas, twine, &c., &c., to sett in order again.

Putty v. oakum.

I now beg leave to turn your Excellency's attention to the success which has attended my undertakings since I left the Cape.

I received by the Wellesley, extra ship, which arrived at the Cape 11th Sept. last a letter* from His Grace the Duke of Portland, stating that it was His Majesty's pleasure that I should pass through a strait in the latitude of 38° south, which I searched for and found in that latitude. Longitude, by calculations, 142° east of Greenwich, as near as I could calculate, not having had a lunar observation for some time before making the land, and not till I had sail'd along the land for seven or eight days. There being no time-keeper on board it is only estimated by calculations. I constructed a plain chart of this strait and the islands I saw, which I humbly present you with. I took the liberty of naming the different capes, bays, &c., for the sake of distinction. One of the most extensive I named after yourself, as it is the largest I met with, and is, by tolerable estimation from the ship's run on the logg, 100 and odd miles nearly due east and west, from cape to cape.† The remarks, &c., will be laid before your Excellency as

Bass Straite

Conjectural bearings.

Nomenclature.

* See letter from the Duke of Portland to Lieutenant Grant, ante, p. 67.

† This was the large indentation in the Victorian coast lying between Cape Otway and Wilson's Promontory, at the head of which Port Phillip is situated; the name Grant gave it, "King's Bay," has disappeared from the modern map.

1800

16 Dec.

Rights of a
discoverer.A thorough
trial of the
vessel.Captain
Schanck.

soon as I can put them in a fit dress for you to see them. And I trust that with your approbation the names of the land which my former navigator has seen, if it should turn out so, will not be changed.

It now remains for me only to hope that having tried the *Lady Nelson* in almost all kinds of weather and very heavy seas, sail'd along an unknown shore, and made a passage from the Cape of Good Hope without going into a higher latitude than 39° 30' after making the land in 38° south in the space of ten weeks, and arriving without loss or damage safely in your port, that it will prove to the world the merits and abilities of my much-respected friend, Captain Schank, and further, that my own conduct and endeavours will meet your and his approbation, together with His Grace the Duke of Portland, whose orders I have endeavoured to execute to the utmost of my power. And with all due respect and gratitude which you and those who are your friends have countenanced me with.

Yours, &c.,

JAMES GRANT.

GOVERNMENT AND GENERAL ORDER.

Tuesday, 16th December, 1800.

Exportation
of swine.

THE Governor directs that no sows be sent on board ship or be received on board, under the penalty of forfeiting such sow.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Thursday, 18th December, 1800.

18 Dec.

Atkins, De-
puty Judge-
Advocate.

RICHARD ATKINS, Esq., is appointed to act as Deputy Judge-Advocate to this territory until His Majesty's pleasure is known.

The Governor has directed the Commissary to deliver to Lieut. Col. Paterson the feathers that came with the hats lately arrived in this colony, which he makes the regiment a present of for their industry in forming the public parade.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Sydney, 18th December, 1800.

Proclama-
tion.

His Excellency the Governor-in-Chief, in compliance with a request of the Most Noble Governor-General of the Honorable Company's territories in the East Indies, commands the following proclamation to be observed by every and all His Majesty's subject resident in these colonies and its dependencies :—

Proclamation.

Fort William, 2nd July, 1800.

WHEREAS several persons transported as convicts from the British dominions in Europe to New South Wales have repaired from

New South Wales to Bengal, and have clandestinely established themselves at Calcutta and at other places within the limits of the Presidency of Bengal, such of the said persons who arrived in Bengal previous to the first day of June last are hereby required to leave India before the 1st day of March, 1801, under pain of being apprehended and sent to England in the manner prescribed by Act of Parliament with regard to persons resorting to India without license.

1800

18 Dec.

Convict
compass
at Calcutta;

All persons having been transported as convicts to New South Wales, and who may be on board of any ship which may hereafter touch at any port or place within the limits of the Presidency of Bengal are prohibited from landing in Bengal; any such persons who shall disobey this prohibition shall be forthwith apprehended and sent to England in the manner prescribed by Act of Parliament with regard to persons resorting to India without license.

not to be
allowed to
land;

Convicts escaping from New South Wales previous to the expiration of the period for which they may have been transported, and who may be found within the limits of the Presidency of Bengal, are to be apprehended and detained in custody until an opportunity shall offer of returning them to New South Wales.

to be re-
turned to
New South
Wales.

And the several magistrates and officers of police are hereby required to carry this proclamation into effect, according to its tenor, within the limits of their respective jurisdictions.

By Command,

G. H. BARLOW,

Chief Secretary to the Government.

And, that the intent of the above proclamation may be furthered, all masters of ships or vessels leaving this place for any port in the Pacific or Indian Ocean are to enter into a bond of £500 sterling, not to take any convicts from this colony, and into another bond of £500 sterling not to take any persons from hence who have ever been convicts without the Governor's permission, and a separate penalty of £500 if they land either of the above descriptions of persons in any part of the Company's territories; all which bonds and penalties are to be made recoverable in any of the Governments of India, or by the supercargoes at Canton, in China, and throughout His Majesty's dominions at home and abroad.

Masters of
ships to give
sureties.

PHILIP GIDLEY KING.

FROM INDIA GOVERNMENT OFFICIALS TO GOVERNOR KING.

(King Papers.)

Hon'ble Sir,

Fort William, 18th December, 1800.

The most noble the Governor-General in Council had the honor to address His Excellency the late Governor of New South Wales, on the 3rd of July last, and to communicate His Lordship's

1800
18 Dec.
—
Convicts
resorting to
India.

sentiments respecting the resort to India of persons transported as convicts from the British dominions in Europe to New South Wales. His Lordship at the same time advised His Excellency of the measures which this Government had judged it necessary to adopt for preventing such persons from establishing themselves in any part of the British possessions in India.

2. The Governor-General in Council has since had the honor to receive a letter dated the 15th March last, from His Excellency the late Governor, in reply to the letter addressed to him by His Lordship in Council, under date the 11th November, 1799.

Penalty
bonds.

3. Although your Excellency is precluded by your instructions from detaining convicts after the expiration of the term of their transportation, the Governor-General in Council is persuaded that important advantages would result from the adoption of the measures which His Lordship in Council has suggested of requiring the commanders of ships authorized to proceed from New South Wales to India (previous to their being permitted to receive on board of their ships in any capacity persons who have been convicts) to enter into penalty bonds not to permit any such persons to land in any part of India. The Governor-General in Council therefore begs to repeat his request that your Excellency will be pleased to require the suggested engagement from the commanders of the ships in question, untill the resort of convicts to India shall be effectually prevented by the interposition of the authority of the Legislature.

Expires
land in Fort
William.

4. Besides the persons from Botany Bay who had clandestinely established themselves in India, as specified in the list transmitted to the late Governor, twenty-two persons who had been convicted and transported to New South Wales for a certain term of years, and a convict of the name of Elliott who had been transported for life, were lately landed at Fort William from the ship *Hunter* commanded by William Hingston.

The *Hunter*
and her
commander
seized.

5. William Hingston not appearing to possess any authority from the Hon'ble the Court of Directors for repairing with his ship to India, the Governor-General in Council deemed it proper to direct the person of William Hingston and the ship *Hunter* to be seized, and to order the necessary legal proceedings to be instituted for the purpose of having the ship condemned and adjudged to the Company, and of obtaining a decree for the penalties prescribed by the Act of Parliament in cases of ships and persons engaged in an illicit trade to India in violation of the chartered rights of the Hon'ble East India Company.

Ships to be
licensed.

6. The Governor-General in Council judged it to be indispensably necessary to adopt these measures with a view to prevent in future any ships, not licensed by the Company or by their Governments, from repairing from New South Wales to any of the British possessions in India, and we request that your Excellency will not

permit any ships to proceed from New South Wales to India excepting such as shall have been so licensed. To permit a free intercourse between India and New South Wales would be productive of the most dangerous consequences to the interests of the Company and of the British nation in India, by affording the means of introducing into India a succession of Europeans who might gradually establish themselves, and colonize these possessions under circumstances destructive of the fundamental policy of which the Legislature has established the whole system of our empire in Asia.

1800

18 Dec.

Free
intercourse
disadvan-
tageous.

7. Subsequently to the institution of the proceedings against him, William Hingston represented that he proceeded to Bengal, not only with the sanction of His Excellency, the late Governor of New South Wales, but with his immediate approbation, for the purpose of conveying to New South Wales articles required for the use of the colony. The Governor-General in Council therefore directed the proceedings against William Hingston to be discontinued, and His Lordship has permitted him to return to New South Wales with any such articles the exportation of which from Bengal shall not have been prohibited.

Governor
Hunter's
sanction.

It is not the intention of the Governor-General in Council, by restricting the intercourse between India and New South Wales, to preclude that colony from being furnished with any supplies which it may require from India. His Lordship in Council will be happy to concert with your Excellency the best means of furnishing the colony with those supplies in any manner that may appear most expedient consistently with the necessary precautions for preventing persons who have been convicts at [New] South Wales from resorting to India.

Indian trade
with New
South Wales.

We have, &c.,

WELLESLEY.

ALURED CLARKE.

P. SPEKE.

GOVERNMENT AND GENERAL ORDER.

Saturday, 20th December, 1800.

20 Dec.

THE Governor, having contracted for 2,000 gallons of spirits, to be divided among the officers, civil and military, who are not provided with any, the soldiers and settlers at this place, and at Norfolk Island, which will be distributed in the following proportions, for which money, Government or Paymaster's bills are to be given :—

2,000 gallons
of spirits.

	gallons.
Non-commissioned officers and soldiers	250
Settlers at Port Jackson	320
Ditto at Norfolk Island	250
To be divided among officers, civil and military ...	1,171

1800 payment for which is to be made in the following proportions
 20 Dec. to the Commissary previous to the Royal Admiral's departure :—
 Non-commissioned officers and soldiers... 4s. per gallon.
 Prices per Settlers 5s. 6d. „
 gallon. Officers 5s. „

The Governor remits the assessment of 1s. per gallon to the regiment and to the officers for 40 gallons per annum each; all above that quantity to pay the assessment.

PHILIP GIDLEY KING.

CAPTAIN WATERHOUSE TO THE ADMIRALTY.

No. 16, Sherrard-street, Golden Square,

21 Dec.

Sir,

21st December, 1800.

Water-
house's pay
as com-
mander.

I beg leave again to force the application I have already made to their Lordships, requesting my being allowed the pay for the established number of servants to His Majesty's ship *Reliance* from the time of my taking sole command, and beg you will please to move their Lordships that as Captain Hunter remained at the government at Port Jackson, and I received directions from him, on the 12th day of February, 1800, to proceed in the *Reliance* to Europe, I hope they will direct my being paid for four servants (that number being allowed to the principal commander) from that date until the payment of the ship, my agent having informed me that without a particular order from their Lordships I can only receive the compensation pay for two servants.

I am, &c.,

H. WATERHOUSE.

GOVERNMENT AND GENERAL ORDER.

26 Dec.

Friday, 26th December, 1800.

Payments in
wheat.

THE Commissary will direct the storekeepers at Sydney, Parramatta, and Hawkesbury to receive into their charge such wheat as may be tendered by those who are indebted to the public stores, as directed by the Orders of the 14th October last.* The storekeepers will attend every day next week between the hours of 9 and 2.

Punishing
assigned ser-
vants.

It having been represented to the Governor that it has been a custom for those to whom the labour of convicts has been assigned, as well as those allowed servants, to chastise them by horsewhipping, and beating them for real or supposed offences and neglect of work, the Governor feels himself called upon to put an immediate stop to those practices by referring to the General Orders of the 2nd of October last,† wherein a mode is pointed out of bringing delinquents to justice; and as the Governor will not admit of any individual presuming to inflict that punishment, which must be openly awarded by a magistrate, he strictly forbids all officers, and every person, bond or free, from striking or ill-using any other

* Ante, p. 243.

† Ante, p. 232.

permit any ships to proceed from New South Wales to India excepting such as shall have been so licensed. To permit a free intercourse between India and New South Wales would be productive of the most dangerous consequences to the interests of the Company and of the British nation in India, by affording the means of introducing into India a succession of Europeans who might gradually establish themselves, and colonize these possessions under circumstances destructive of the fundamental policy of which the Legislature has established the whole system of our empire in Asia.

1800

18 Dec.

Free
intercourse
disadvan-
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Indian trade
with New
South Wales.

We have, &c.,

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2,000 gallons
of spirits.

	gallons.
Non-commissioned officers and soldiers	250
Settlers at Port Jackson	320
Ditto at Norfolk Island	250
To be divided among officers, civil and military ...	1,171

1880

GOVERNMENT AND GENERAL ORDER.

28 Dec.

Sunday, 28th December, 1880.

Guarding
against sur-
prises.

FROM the constant state of alarm which the peaceable and loyal inhabitants of this colony have been kept in for the last two months, and the present restlessness of some turbulent character, the following arrangements are to be observed in case of any internal tumults.

The guns to
be loaded.

The field-pieces are to be kept constantly loaded with powder only, and the vent, priming, &c., examined every evening, by the officer of the day. A port fire is to be in readiness to fire on the least appearance of alarm or tumult, or that either the main guard or barracks are attacked.

The call to
arms.

When a gun is fired from the barrack or main guard, the drums are to beat to arms. The regiment to form in front of the barracks, and to act as the Commanding Officer may see fit, and in conformity to any secret or other instructions he may receive from the Governor. The main guard to form in front of the guard house, within the paling, and to wait for orders, unless they are attacked, when the officer will act as he may judge proper, but not to quit that post without orders from the Governor or commanding officer of the troops, unless compelled, in which case he is to use every exertion to join the association or regiment.

The volun-
teers.

The Association, on the alarm being given, are to repair and form in front of the Governor's house, and there wait his orders; but if they should be impeded, they are to join the main guard or the regiment.

Civilians.

The provost-marshal, civil officers, constables, superintendents, and inhabitants enrolled for active defence, are, on the alarm being given, to repair (with what offensive weapons they can immediately collect) to the highest windmill hill, and there wait for orders how to act, or being joined by the military.

The general
public.

Every other description of persons, either male, female or children, are to remain quiet and peaceable in their respective dwellings, as it will be impossible for the military to discriminate persons in case of alarm.

Enrolment
of volun-
teers.

All persons desirous of being enrolled for active service are to give their names in to Mr. Brady, Judge-Advocate's clerk, from 9 o'clock to 10 every morning, and to deliver an account of the offensive weapons they can arm themselves with. When this list is complete and regulated, they will be divided and occasionally mustered by a civil officer or superintendent to each division.

Retailers of
spirits.

Any person holding a license to retail spirituous liquors will be deprived thereof if any part of the Orders of 27th October last* are disobeyed or neglected, and particularly that part wherein they

* Ante, p. 249.

no forbidding entertaining any person whatever from the beating of 1800
 three to noon of the following day, or during the hours of Divine 28 Dec.
 service. This the magistrates will strictly enforce.

PHILIP GIDLEY KING.

GEO. SUTTON TO SIR JOSEPH BANKS. (Banks Papers.)

Sir, New South Wales, 28th December 1800.

In obedience to your commands, I do myself the honor of
 writing to you an account of what plants I have been able to ^{Plants}
 keep alive to New South Wales:—1 olive, 6 apples, 6 black mul- ^{landed at}
 berry, 6 white do., 4 willows, 18 Chily strawberry, 2 walnuts, 2 ^{Sydney.}
 snuts (Spanish), 2 oakes, 4 pomgranites, 2 plantains, mint, and
 following sorts of vines:—Tokay, White Fontiniac, White Mus-
 line, Black Fontiniac, Constantia, and Muscat of Alexandria.

It is with painful concern I inform you, sir, that I have not
 been able to bring the hops and many other valuable plants that ^{Valuable}
 were on board. Many a day and night have I spent of anxious ^{plants lost}
 solicitude on account of my garden; but all my anxiety and ^{on the}
 action were in vain under the disadvantages the garden was ^{voyage.}
 situated, so constantly exposed, from the smallness of the ship, to
 the washing of the sea, and other circumstances that tended so
 much to their hurt; indeed, I now do and ever shall regret that
 was not more successful. As they have hops at the Cape, I ^{Hops from}
 have great hopes we shall soon receive some from thence. Mr. ^{the Cape.}
 Arrow assured me that we might depend upon their being sent.

Mr. Scott was induced to behave something better to us during
 the remainder of our voyage, through the kind interference of
 Mr. Roger Curtis in our behalf at the Cape.

I sincerely hope yourself, sir, and Lady Banks are in good
 health, also Mrs. Banks, Mr. and Mrs. Anfriere.

I am, &c.,

GEO. SUTTON.

P.S.—I have taken the liberty, sir, of inclosing letters to my
 friends; beg of you to forward them.

GOVERNMENT AND GENERAL ORDER.

Tuesday, 30th December, 1800.

30 Dec.

Any convicts or persons whose terms of transportation are ^{Travellers'}
 expired, and who are not settled, are found going from settle- ^{passes.}
 ment to settlement without a pass from the magistrate—which will
 ever be refused without sufficient cause—any person will receive
 60 lashes and a year's imprisonment in the gaol gang.*

* This Public Order shows how great was the power entrusted to the Governor. Theoretically, the prisoner whose term of transportation had expired was in all respects a free man, freed to all his rights and liberties; but, practically, so long as he remained in the colony, though free from the necessity of labouring for the public, yet, in some respects, he was as better off than when a convict.

1800 Prisoners or free people, not settlers, found going from one settlement to another without a pass from the magistrate specifying their business—which will never be refused without a very sufficient reason—and who neglect to deliver their pass to the magistrate they got it from, or to the magistrate at the place where they are going to reside, will be punished with 100 lashes and a year's imprisonment in the gaol gang at Sydney or Norfolk Island.

30 Dec. — Passes to be carried by certain people.

Disobedience of Orders.

As this is a repetition of several Orders that have formerly been given to the same effect, and have been as often disregarded as observed, it is to be understood by every person in this colony that after an Order is once issued it is to be constantly obeyed until revoked by the same authority that gives it.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

31 Dec. Wednesday, 31st December, 1800.

The spirit of revolt.

Taking to the woods.

Attempts to intimidate King.

Evidences of conspiracy.

The blessings of peace.

NOTWITHSTANDING the lenity shown to those concerned in a former attempt to create confusion in this colony, yet it appears that several restless and turbulent characters are still forming designs to promote their diabolical schemes for the destruction of all industry, public and private property, order and regularity, and to introduce murder, plunder, and every kind of horror and confusion. Several worthless vagrants have gone to the woods, subsisting by depredations on the industrious, whilst many others are not only plundering those to whom their labour is assigned, but are also neglecting their work, and leaving their employers' property to be destroyed by the idle and dissolute, who, from their former habits, manifest a preference of the life of indolence, plunder, and alarm to the certain benefits of a commendable and honest industry.

The Governor, considering the duty he owes to his situation, and the security of the persons and property of the numerous loyal and well disposed inhabitants, that none of their despicable plans, or daring anonymous writings (similar to that forwarded to him previous to the execution of the pirates), will ever bias or slacken his exertions in detecting, and bringing to condign punishment every vicious and idle character.

Disposed as the Governor has been not to credit every information he has received, yet the many corroborating evidences that have been given compels him to take the necessary measures for securing the peace of the colony. Anxious to believe that those evil designs have their only rise in the phrenzy of a few turbulent wretches, whose aim is confusion, he is willing to hope that when the different descriptions of persons in this colony reflect on the comforts and blessings they enjoy and may acquire in this colony, by a very moderate industry, and the expectation

every prisoner may entertain that if his behaviour is honest, 1800
 ous, and irreproachable, that he will in some measure 31 Dec.
 fitted by it. These considerations, it is expected, will
 onfidence, and prevent future ridiculous plans, which are
 id by the artful villains to deprive the industrious of
 mforts, who in the end do not fail to sacrifice those they
 mployed to obtain their ends, of which the two criminals
 der sentence of death, and who were deserted by their
 ompanions, is a sufficient proof how little confidence they
 e in each other. Deserted
 and con-
 demned.

ld this intention and hope of the Governor's be frustrated
 renewal of what he hopes to hear no more about, he
 n consider it his duty to adopt such measures as are most A warning.
 o ensure that tranquility which must not, and shall not,
 rupted with impunity.

Harris, a licenced victualler, and retailer of spirituous A publican's
 having given spirits to two convicts for their week's license.
 of salt meat from the public stores, is deprived of his
 and the Government has directed all his liquors to be

e is every reason to be assured that this transaction has
 en carried on, in direct disobedience to every regulation
 n that head, not only by the above delinquent, but also by
 other persons. If the convicts, who have no means of
 nance but by the ration they receive from the store, are
 to part with it for a taste of spirits, they must conse-
 rob those who are nearest to them for support during the
 der of the week, which consequently leads to a train of other
 at must be put a stop to. If any person in the colony pre-
 to give a convict spirits, or any other consideration, for
 tion, or any article furnished from the public stores, they
 punished as the law directs for receiving stolen goods, and
 ced, will lose their licence, and all strong drinks found in
 ssession be staved. Supplying
 convicts
 with spirits.
 PHILIP GIDLEY KING.

KING POMARRE, OF OTAHEITE, TO GOVERNOR KING.*

(King Papers.)

Mattavye, Otaheite, 31st December, 1800.

it please your Excellency,
 Your letter† and present I kindly accept. I love King The King
 and his subjects, and will while I live be a protector to his
 subjects.

in reply to this letter forwarded Pomarre presents in return, assured him of the
 ng of King George, and asked him to assist Captain Scott in loading the Porpoise
 pork. He also wrote a letter to the missionaries stationed at Otaheite, asking
 and Capt. Scott every aid in their power in procuring hogs, and to assist him in
 ource with the native king. Amongst other things, Governor King sent Pomarre
 ts; these he informed the missionaries they could render useless before presenting,
 ought there was any danger of ill consequences.
 ing's letter of 13th October, 1800, ante, p. 242.

1880 those of them who put themselves under my care; but I in
 31 Dec. your Excellency I at this time stand in fear of the comm
 many of them being disaffected to me, and their disaffection
 is encouraged by some seamen who are on the island, and
 fore wish your Excellency to present me with a few fir
 whereby my authority may be maintained, and the peace
 kingdom preserved.

Pomarre
 asks for
 firearms.

I request your Excellency to accept of the articles I ha
 you by Captain Bunker, as a token of my goodwill. I hope
 not be long before I have the pleasure of hearing from you

I am, &c.,

POMARRE
 m

RETURN OF LABOUR DURING 1800.

Men Employed.	Work Executed.
Labour during 1800 at Sydney.	<p>AT SYDNEY.</p> <p>Fitted up a forge for one smith and two under the inspection of Mr. James worth; made shop boards for the a printing press for the printer; tables for Lieut't-Colonel Patterson for Ensign Moore, 1 do. for Ensign drall, and 1 do. for Mr. John Gowe keeper; 2 brickmaker's tables; fit house; made tables and various of niture for Lieut't-Governor King cabins, made cott-frames, &c., for eers going to England in H. M. s. Buffalo; fitted up a toilet, with d table for Mrs. King; made a sofa officers' guard room; 3 men 5 w Major Fovaux's; 2 men 5 months Dore's; 1 man 42 days at Ensign's making doors, window shutters, s paring a roof for the new military h made doors and window shutt're f hutts; built a skilling for Mr. Gri whole length of his house; repaired windmill.</p>
Shipwrights.	<p>Twenty-sevenshipwrights, caulkers, boat-builders, labourers and watchmen, in the dockyard.</p> <p>Repaired all the boats in the service of 4 men rep'g and fitting for sea, H. the Reliance; made window shut the new grannary; building the F Cumberland; made 3 new gates hospital; lent 2 men 4 months t the building of the new windmill; the copper, caulked and thoroughly: H. M. schooner the Francis; made 3 handles, &c.; one man ten months Dore's.</p>

PUBLIC WORKS.

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Return of Labour—*continued.*

1899

31 Dec.

men Employed.	Work Executed.	
rick and stone plasterers, and ca.	<p>Repaired and fitted up a house for Captain Abbott, rep'd Lieut't Kemp's house, lathed and tyled the new soldiers barrack; lathed and plastered the master shipwright's house; stopt, plastered, and whitewashed one room; pulled down and rebuilt a chimney; broke out a doorway and paved the yard for Mr. Dore; built 2 chimnies, 2 stoves, and whitewashed a kitchen for Doctor Harris; built a chimney and two partition walls in a skilling for Mr. Grimes; broke out a door and window way, built a brick wall 12 feet long and 5 do. in height, whitewashed and paved a stable for Lieut't Colonel Patterson; built 4 necessaries in the hospital, a military hospital dispensary, and a dwelling house for the attendants, 70 feet long and 20 in breadth; built an officers' guard room, 24 feet long and 7 in breadth; built necessaries to the military barrack; built 2 chimnies and plastered a house for Ensign Bayly at his farm; groubed the floors of the grannary, to prevent the wheat going thro'; built a skilling for Doctor Jamison; plastered and whitewashed the houses of Lieutenants McKellar and Piper; whitewashed the house, paved the yard, and built a chimney for Mr. Balmain at his farm.</p>	Bricklayers.
blacksmiths, tin per do., hammer- le grinders, lock- and labourers.	<p>Made ironwork for H. M. ships, schooner, boats, and all publick buildings; 300 West India hoes, 150 grubbing do., 200 sawyers dogs, 47 clawed hammers, 2,000 harrow teeth, 40 axle trees, 60 shovels and 14 spades, 150 syckles, 13 axle trees doubled, 60 frying pans, 128 kettles, made 20 door and 14 padlocks, 104 falling axes, repaired 13 door and 42 padlocks; 1 forge and 4 men constantly emp'd sharpening tools for masons, miners, &c., &c.; 3 nailors mak'g screws, &c., &c.</p>	Black-smiths.
men	<p>Made 300 pair of trowsers, 17 coats, 45 suits of children's cloaths, 15 pair of breeches, 41 waistcoats, 200 bags for wheat, lime, and charcoal, since the 1st of May; 1 taylor employed by Lieut't-Governor King, &c., &c.</p>	
makers	<p>Made 385 pair of shoes; soaled 400 and rep'd 240 do.</p>	
men and four men	<p>Constantly collecting, cleansing, and burning shells into lime.</p>	

1860

Return of Labour—*continued*.

31 Dec.

	Men Employed.	Work Executed.
	Two cutlers	One constantly emp'd by the principal su in keeping the surgical instruments &c., the other makeing and grinding k scissors, &c., &c.
	One cooper... ..	Constantly emp'd by Mr. Laycock, storekee the provision store, his dwelling hous
	Nineteen sawyers... ..	Cutting plank, boards, joist, rafters, &c., at the dock yard and all other public l inga.
Miscellaneous.	One ropemaker and one assistant.	Makeing cordage for various uses out of c jong.
	Twenty-four men makeing of bricks.	Made 12,000 p. week.
	Six tile makers	Made 3,000 p. week.
	One overseer and twelve men to two timber carriages.	Bringing timber to the saw pits, &c., &c.
	One overseer and ten men to two carts.	Bringing bricks to the several buildings, to the store, &c.
	Two shingle splitters	Split 2,000 p. week.
	Three lath splitters	Split 2,000 p. week.
	Three barbers	Shaveing all the servants of Governmen Sydney.
	One sadler and harness maker.	Makeing and rep'g harness, collars, &c. &c.
	One bellman	Giveing publick notices, &c., &c.
	One bookbinder	Binding books for the Commissary's Office
	One sexton... ..	Tolling the bell, digging graves, &c., &c.
	One miller and one assistant.	Attend'g the windmill, grinding wheat for store, &c.
	Two overseers and thirty men.	Repairing the roads in and about Sydney bridges from thence to Duck River down and took away the trees that jected over the roads, cutting posts, and rafters, splitting pailing, stowing stores, taking care of Gov't cattle in count'y; and, at Sydney, unloading boats, &c., &c.
	Two basket and sieve makers.	Makeing and rep'g baskets, sieves, &c.
	One coxswain and eight men	Belonging to His Excellency the Governor's
	One coxswain and four men	In the long boats, carrying provisions to matta, and bringing grain boards, &c., thence.
	One master and five men...	In the Norfolk sloop, carrying provisions Hawkesbury, and bringing grain, &c., thence.
	One gardiner and two labourers.	Employed at the garden belonging to G ment House.
	One watchmaker	Repairing and keeping in order watches, &c.
	One executioner and one assistant.	He, being a free man, had two men allow his farm for his services.

PUBLIC WORKS.

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Return of Labour—*continued.*

1800

31 Dec.

Men Employed.	Work Executed.
Thirty-six constables and watchmen.	At Sydney, the Brickfields, and all the adjoining districts.
One printer... ..	Printing public orders, notices, &c., &c.
One millwright	A disabled man, superintending the building of the new windmill.
One master and eleven men	In H. M. schooner the Francis.
AT PARAMATTA.	
Ten carp'rs wheelwrights, barrow mak'rs, and labourers.	Finished a house for the residence of the Governor, 60 feet long and 24 feet broad from out to out, with a suit of rooms upstairs and cellars under the house; a new church, 100 feet long and 42 broad, with a room raised on stone pillars at one end 20 feet long; made 5 carts, 1 timber carriage; preparing timbers for the new water mill, 8 pair of cart wheels, 114 hand and 75 wheel barrows; 800 ax, spade, and hoe handles; 8 dozen of syckle handles; 3 men makeing and rep'g spinning wheels, &c., &c. Carpenters.
Fourteen blacksmiths, tin, and hammer men, file grinders, locksmiths, and labourers.	Made 305 falling axes, 179 hoes, 14 spades, 9 shovels, 8 draught chains, 7 steel mills, 14 breeching chains, 114 grubbing hoes, 112 harrow teeth, 400 pair of hooks and hinges, 14 tommohawks, 40 chimney and pott barra, 112 syckles, 4 broad axes, 68 sawyers' dogs, 15 axle trees, 24 pair of beetle rings, 40 saw tillers, 24 door and 63 padlocks, 200 streaks for carts and timber carriages, iron work for Government House, the new church, and water mill; 1 forge and four men constantly sharpening and rep'g tools for stonecutters, quarry men, &c., &c. Blacksmiths.
One bricklayer and 2 labourers	Repaired, plaistered, and whitewashed the Government hutts, the houses of all the officers, civil and military, the storehouses, grannaries, &c., &c. Bricklayers.
One overseer and four men	Constantly collecting, cleaning, and burning shells into lime.
One overseer and 4 men ...	Burning charcoal for the smiths.
One overseer and ten men	Bringing wheat and maize from the wharf and grannary to the publick store, stockyard, &c.; mangrove for the wheelers; provisions to Toongabbee.
Five taylors	Made 123 jackets, 102 pair of trowsers, 200 frocks, 40 pairs of breeches, 300 bags for laneous wheat, lime, &c., &c. Miscellaneous.
Three shoemakers ...	Made 152 pair of shoes, soaled 114 do., rep'd 150 pair of do.; beside a vast quantity of work ordered by the Revd. Mr. Marsden for himself and family.

1880

Return of Labour—*continued*.

31 Dec.

Men Employed.	Work Executed.
One weaver and 2 assistants	Weaving cloth ; teaching the women
Twelve men making of bricks	Made 6000 p. week.
Six men, with oxen to 2 timber carriages	Bringing boards, &c., from the saw several buildings, timber to the &c., &c.
Four men with oxen to two carts.	Bringing wood to the barracks and gun brick to the several buildings, store and to the wharf for Sydney
Two barbers	Shaving all the servants of Government
Two bakers	Baking for do.
Two men and 2 assistants	At the garden belonging to Government
One man	Attending to ring the bell, that assemble people to work.
Eighteen men	Takeing care of Government cattle.
Eight men	Old and feeble, takeing care of the the people are at work.
One man	Made six dozen of brooms p. week.
One man	Makeing and repairing sieves and baskets
Eighteen constables	At Paramatta, the north boundary adjacent districts.
Six sawyers	Cutting timber for all the public buildings

AT TOONGABBIE.

Farming at Toongabbie.	Eighty freemen	Broke up 500 acres of ground, and so
	N.B.—The 26 men threshing wheat are included in the above number of men.	1,000 bushels of wheat ; 60 acres it with maize ; 26 men thresh husking and housing corn, & paired, plaistered, and whitewashed house of the late Dr. Kelly for the use of Dr. O'Connor ; repaired government huts.
Miscellaneous employees.	One barber	Shaving all the servants of the Government
	One thatcher	Thatching wheat stacks, huts, &c.,
	One miller	In charge of the steel mills.
	Seven men	Stock keeping.
	Four men	Old and feeble, takeing care of the the people are at work.
	One shoemaker	Repairing shoes, &c., &c.
	One taylor	Repairing jackets, trousers, &c.
	One man	Getting wood and water for the gun
	Eight constables	In charge of the barns, wheat stacks storehouse, keeping the peace, &c.
	One do	At George's River.
	Four do	At the Hawkesbury.

Jno. E

MILITARY OFFICERS.

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NEW SOUTH WALES CORPS.

1800

Rank.	Name.	Rank in the	
		Regiment.	Army.
Colonel	Francis Grose	18 Jan., 1798	1 June, 1798
Lieutenant-Colonel	William Paterson	18 Jan., 1798	
Major	Joseph Foveaux	10 June, 1798	
	George Johnstone	25 Sept. 1792	
Captains	John M'Arthur	6 May, 1795	Major. 1 Jan., 1800
	John Townson	6 May, 1795	
	Edward Abbott	11 Nov., 1795	
	Thomas Rowley	21 June, 1796	
	John Tho. Prentice	2 Mar., 1797	
	William Cummings	25 June, 1793	
	John Piper	6 May, 1796	
	Neil M'Kellar	11 Nov., 1795	
Lieutenants	Thomas Davies	24 June, 1796	
	William Burns	25 June, 1796	
	James Hunt Lucas	30 Sept., 1796	
	Anthony Fenn Kemp	2 Mar., 1797	
	William Patullo	3 Mar., 1797	
	Thomas Hobby	9 Nov., 1797	
	John Erabyn	6 Mar., 1796	
	William Moore	7 Mar., 1795	
	— Laycock	30 Dec., 1795	
	William Minchin	2 Mar., 1797	
Ensigns	Nicholas Bayley	29 June, 1797	
	George Bond	7 Sept., 1797	
	John Maundrill	24 May, 1798	
	Hugh Piper	29 Mar., 1799	
	William Lawson	20 June, 1799	
Paymaster	William Cox	28 Sept., 1798	
Adjutant	William Minchin	2 Nov., 1796	
Quarter-master	Thomas Laycock	5 Jan., 1791	
Surgeon	John Harris	28 Jan., 1791	
Assistant-surgeon	Thomas Roberts	5 April, 1798	

31 Dec.

Officers of
New South
Wales
Corps.

Agents, Messrs. Cox and Greenwood, Craig's Court.

THE DUKE OF PORTLAND TO GOVERNOR KING.

1801

George R.

1 Jan.

Our will and pleasure is, and We do hereby authorize and empower you to make use of the Public Seal of Our territory of New South Wales for sealing all things whatsoever that are used to be sealed therewith, on which Our arms as heretofore used are engraved, until another seal bearing the Ensigns Armorial of the United Kingdom of Great Britain and Ireland shall be prepared and transmitted to Our said territory : And for so doing this shall be your warrant.

The Great
Seal and the
Union.

Given at the Court of St. James's, the 1st day of January, 1801, in the forty-first year of Our Reign.

By His Majesty's command.

PORTLAND.

1801

GOVERNOR KING TO LIEUTENANT GRANT.

Sydney, 1st January, 1801.

1 Jan.

Grant
Lieutenant
of the
Supply.His voyage
in the Lady
Nelson.A surveying
vessel.

WHEREAS the Right Honorable the Lords Commissioners of the Admiralty have been pleased to appoint you lieutenant of His Majesty's armed vessel Supply, which has for some time past been condemned as unfit to proceed to sea, and taking into consideration your meritorious conduct in bringing His Majesty's armed vessel Lady Nelson, destined to explore these coasts, and your perseverance in being the first to pass through the straits that separates this country from Van Dieman's Land from the westward; and as you are directed to deliver that vessel up to me and being directed by His Grace the Duke of Portland, one of His Majesty's Principal Secretaries of State, to employ the Lady Nelson in exploring the coasts of this country, as pointed out by His Grace's instructions to me; and as that vessel has hitherto been under the direction of the Honourable Commissioners in conducting the transport service until her arrival here, when the officers and crew are discharged, and paid the wages as agreed on by the said Transport Board and the said ship's company.

And as the said vessel is now discharged of her stores and ready for being re-equipped, I have judged it necessary to continue her in His Majesty's service for the more effectual prosecution of her intended discoveries.

Grant to
take charge
of her.

You are hereby required and directed to repair on board the Lady Nelson armed surveying vessel, and take upon you the charge of lieutenant and commander in her accordingly, strictly charging and commanding all the officers and ship's company subordinate to you, to behave themselves jointly and severally with all due respect and obedience unto you, their said lieutenant and commander; and you likewise to execute the general printed instructions, and all such orders as you may receive from me or any other your superior officer, for which this shall be your authority.

Given under my hands, &c.

PHILIP GIDLEY KING.

GOVERNOR KING TO SECRETARY NEPEAN.* (King Papers.)

Sydney, New South Wales,

5 Jan.

Sir,

5th January, 1801.

Arrival of
the Lady
Nelson.

I have the honor to inform you that His Majesty's armed vessel, Lady Nelson arrived here the 16th ult'o. I annex such extracts of that vessel's performance, selected from Lieut. Grant's letter to me on his arrival, as appears advisable to send by this uncertain conveyance, not doubting but a surer opportunity will soon offer of conveying the fullest details respecting that vessel. The Lady Nelson is now fitting to prosecute her discoveries, and to ascertain the

* Marginal note in original.—"Per Diana, via India."

depth of the bay Mr. Grant describes being 100 miles deep, which from the popular idea in this colony of a communication being between the south part of New Holland and its northern extremity, terminating by the Gulph of Carpentaria, which if so insulates New South Wales.* I have, &c.,

1801
5 Jan.
New South Wales an island.

PHILIP GIDLEY KING.

GOVERNOR KING TO THE GOVERNOR-GENERAL OF INDIA.

Sydney, New South Wales,

My Lord,

6th January, 1801.

6 Jan.

By the Trimmer brig, Capt. Fogo, I had the honor of receiving your Lordship's letter of the 3rd July last, addressed to Governor Hunter, enclosing the copy of another letter dated the 11th November, 1799, a proclamation dated the 2nd July, 1800, and a list of such persons as were convicts, and are now resident in and about Calcutta.†

Letters from India.

Whether my predecessor has given any answer to your Lordship's letter in Council of the 11th November, 1799, I am ignorant of, but no public steps appear to have been taken in consequence of that letter, and whether it came to his hands is a circumstance I am equally unacquainted with.

Your Lordship will see by the printed enclosure that no time has been lost in complying with your wishes.

An enclosure.

As Government does not provide a passage for those convicts whose terms of transportation are expired, those among them who are desirous of leaving the colony make agreements with the commanders of such vessels which sail from hence either for England, or more generally for India. The captain requests permission from the Governor to take them, which permission is given as cautiously as possible.

The departure of expirees.

By the enclosure your Lordship will perceive that the most conclusive arrangements respecting the masters of ships who take people from hence have been provided for in the penalty bonds, and I shall take especial care that those precautions shall be fully complied with, and that duplicates of those bonds shall be forwarded to the different Presidences, as pointed out in your Lordship's letter, as well as to the Honorable Company's supercargoes at Canton.

Penalties for aiding escapees.

I have the honor to enclose a copy of the certificate given to such persons as have been convicts, and who are allowed to quit

*The enclosure to this letter is missing, but the information it probably contained will be found in Lieutenant Grant's letter to Governor King of 18th December, 1800, ante, pp. 268, 269, 270, and his published account of the voyage in the Lady Nelson from England to the colony.

†The correspondence to which King here refers will be found, ante, pp. 110, 111, 112, and 271, 272, 273. See also Governor King's Government and General Order of 18th December, 1800, ante, pp. 270, 271, a printed copy of which King enclosed in this letter.

6 Jan. this colony. Any of that description that may hereafter be found
 A certificate without that certificate are runaways, and as such I have
 of freedom. request may be returned to this colony by the first conveyance.
 Such persons who obtain my permission shall in future be specified
 by list, which shall be transmitted to the different Presidencies.
 I have, &c.,
 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

6 Jan. 6th January, 1801.
 Mr. Mason. MR. MASON* is appointed to act as a magistrate for the districts
 Parramatta and Toongabbie.
 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

7th January, 1801.
 Garden Island. GARDEN ISLAND being appropriated as a garden for the Lady
 Nelson, no person is to land there but with Lieutenant Grant's
 permission, or the Governor's in his absence. It is to be under-
 stood that wheat and all kinds of live stock is a legal tender for
 all debts contracted in this colony, provided the price sued for
 does not exceed that given by Government when purchased from
 settlers or other private cultivators.
 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

8 Jan. 8th January, 1801.
 The countersign. THE countersign in future will be given, sealed up, to such person
 only as the Governor and Commanding Officer of the regiment
 or detachments may judge proper.
 After the beating taptow, masters and officers of ships who have
 occasion to be ashore may apply to the Governor's aid-du-camp or
 the adjutant of the regiment, and no other person is to give the
 countersign to any person whatever.
 The centinels are to pass all officers, civil and military, on
 making themselves known by telling their names.
 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

12 Jan. Monday, 12th January, 1801.
 Crown debtors. NOTWITHSTANDING the Orders of the 14th of October, and of the
 3rd and 26th December last,† not more than four persons have
 paid the debts they owed to Government from 1796 to now.

* Mr. Martin Mason was originally acting surgeon on H.M.S. Buffalo.

† Ante, pp. 243, 264, 274.

September. Should those thus indebted continue to withhold payment, either in wheat, animal food, or money, the Governor will with much reluctance cause those thus indebted to be proceeded against according to law.

1801
12 Jan.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

15th January, 1801.

15 Jan

Not more than one vendue master will be allowed in future to dispose of any wares, goods, or merchandize by auction, or by candle, within the present limits of this territory, such vendue master to be elected by the magistrates by vote, and to be approved of by the Governor. He is then to give sufficient security in the sum of £200 sterling for his honest and due performance of his duty to the seller and buyer as vendue master, and for the due observance of the ordinances of this territory and the laws of England on that behalf.

Vendue
masters.

And if any person within the limits of this territory shall sell any goods by auction, except such articles as prize goods and others enumerated by the Act of Parliament on that behalf, he or they shall forfeit the sum of £50, besides their security, for the use of the Orphan Fund.

Unlicensed
auction.

At the close of each day's sale, the auctioneer (who must take out a license, for which he will pay two pounds to the treasurer of the Orphan Fund, and five shillings to the clerk) is to deliver to the treasurer of the Orphan Fund an account of the amount of that day's sale; and at the close of the auction he is to pay into the hands of the treasurer of the Orphan Fund one and a half per cent. on the amount of sales, previous to his settling with the proprietor, out of whose account that assessment must be paid.

Accounts of
sales.

Previous to any goods being sold by auction, the proprietor is to deliver in a list of the articles he proposes to sell to the treasurer of the Orphan Fund. Untill that is complied with no sale will be allowed.

Lists of
goods.

It is to be understood that all prize and other goods and effects which the law directs may be disposed of by any person that the proprietor may appoint are alike subject to the assessment of one and a half per cent. for the Orphan Fund.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

17th January, 1801.

17 Jan.

If merchant ships' boats do not answer when hailed by any of His Majesty's ships or vessels, or by any centinel, they are to be fired at; and no excuse whatever will be admitted for a breach of this Order.

1801 The Commander of His Majesty's armed vessel Lady Nels
17 Jan. will inform his people that any seizure they may make of spirit
&c., attempted to be smuggled will be their exclusive property,
the same to be observed by the guard on board the Supply.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

18 Jan. (Sunday), 18th January, 1801.
THIS being the anniversary of Her Majesty's birthday, it will be
observed on Friday next, when the regiment and association
will fire three volleys at noon, and at one o'clock His Majesty's
armed vessel Lady Nelson will fire a royal salute.

The Governor will be ready to receive the compliments of the
officers, civil and military, at half-past one.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

19 Jan. Headquarters, 19th January, 1801.
Practice alarm. LAST night, being the first practice alarm given in this colony
the Governor feels himself highly gratified at the alert and
prompt manner in which the regiment assembled, nor can he be
unmindful of the alacrity and steady behaviour of the association.
A mistake having been made last night by those who have
given their names in for active defence, agreeable to the Order
of the 28th of last December,* they assembled at the Governor's
house instead of the new Windmill Hill. That Order is now
repealed.

The list for the insertion of those peoples' names will be closed
next Saturday, and on every future alarm they are to assemble
within the enclosure of the Orphan House, and there wait for
orders or remain quiet.

PHILIP GIDLEY KING.

SIR JOSEPH BANKS TO ———.† (Banks Papers.)

20 Jan. Sir, Soho Square, 20th January, 1801.
An important appointment. As it is of much importance that some person should be
found willing to go with the discovery ship, I must request you to
continue your enquiry. If an addition of salary is likely to tempt
anyone, £100 a year will be given, besides provisions.

* Ante, p. 276.

† This is a draft, and there is nothing on the face thereof which shows to whom it is
addressed. From notes and memoranda found amongst the Banks Papers it appears
to be little doubt, however, that it was addressed to a Mr. William Milnes, of Ashover,
Derbyshire, who had undertaken to secure a competent man to accompany Flinders
the capacity of miner.

It is a safe and a very interesting voyage, and one very likely to make the fortune of the person who engages in the mineral line. There seems to me every prospect of minerals of the greatest value, and Government will, no doubt, if valuable mines are discovered in situations where they can be worked, employ the discoverer in some lucrative part of the working them. Salt and coal have already been found, but none of the mountains where the precious metals are most likely to lie have yet been examined.

The person need not be an able miner, as no trials are intended to be made below the surface. All mines in a new country may be seen at the surface. What is expected of the person who will be sent out is that he, under the direction of the naturalist, take specimens of all rocks, and particularly of the contents of all mineral veins he meets with, and brings them home.*

An astronomer, a naturalist, and two painters go with the ship (those appointments have been most anxiously solicited), and a gardener also, and I may say I have my choice of twenty at least very able young men. I am sure that if the real advantage of the engagement was known abundance of your people would be desirous of engaging in it, and if I get one from Cornwall, which I must do if I fail in Derbyshire, it will be severely reported hereafter. I myself, you know, made a much more dangerous voyage when I was young.

Yours, &c.,

JOS. BANKS.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

Sir Joseph,

Sheerness, 24th January, 1801.

24 Jan.

It gives me great pleasure to say that the Investigator is a comfortable ship, and affords a great deal of accommodation. The mode in which the cabins have been fitted leaves too much room for the commander. The builder's assistant and myself propose an alteration by which another cabin will be gained, for besides sleeping-cabins, a great deal of room will be wanted for our stores, and for the naturalist's and mineralogist's specimens. By to-day's post I have written to the Navy Board for an order to have this done; and by the advice of Mr. Whidbey have also applied for an order to dispense with our fitting out in the exact proportions of stores given to sloops-of-war, and requested to be furnished in such proportions as may be most calculated for the service on which we are going.

The Investigator has at present no warrant officers, but I hope that they will be included in her establishment, and also an additional mate and one or two midshipmen, to the one mate and two mids. which she is allowed at present; a second lieut., also, will most probably be appointed, and the whole of these, in

* The name of the miner who accompanied Flinders was John Allen.

- 1801 addition to the sixty men and thirteen mariners, I should consider as improving the establishment.* In saying this, I speak the sentiments of Mr. Whidbey as well as my own.
- 24 Jan.
- The guns. If six or eight eighteen-pound carronades and four long four or six's are given to us we shall be sufficiently armed.
- Ship's boats. The Investigator can stow a 32-gun frigate's launch, and then a good-sized cutter will stow within her. But in lieu of another cutter and a jolly-boat, I would propose a six and a four-oared whaleboat, whose keels should be somewhat deeper than they are usually built, and the boats should have more sheer, to enable them to pass through a sea or surf.
- Commissioned officers. The present lieut. of the Investigator, Mr. Fowler,† is, it seems, the son of a schoolfellow of yours, Sir Joseph. His father was from Horncastle. The late commander speaks highly of him, and as Mr. Fowler wishes to go the voyage, I see no objection to it myself. I think of applying for a warrant for the present acting boatswain of the Investigator, Charles Douglass, as soon as I find warrant officers are to be allowed; indeed, the appointment of a boatswain, gunner, and carpenter is one of the first things I hope that will take place.
- Volunteers. My Commission was read this morning, and such men of the company as volunteer to go the voyage were desir'd to give in their names by to-morrow morning.
- Preparing for the voyage. Well knowing, Sir Joseph, how much you are interested in the voyage, I take the liberty of speaking at length upon the subject, and if it meets your approbation I shall continue to mention the wants we may have, and the alterations that may be necessary, hoping for your assistance in forwarding their accomplishment.
- In a few days I will send up the lists of the extra things that to me appear necessary for us.
- Requesting you and Lady Banks to accept my respects and best wishes,
- I am, &c.,
MATTW. FLINDERS.

GOVERNMENT AND GENERAL ORDER.

24th January, 1801.

- Prisoners allowed to support themselves. THERE being a greater number of prisoners allowed to go off the stores than the public labour admits of, no more applications of that kind will be attended to untill next January, when it will not be a bare discharge of a Government task that will induce the Governor to grant that indulgence to any whose term of transportation or time they have been in the colony may encourage them to make that application. It must be by an uninterrupted industrious and regular good behaviour.

* See the list of the Investigator's crew and passengers.—*Flinders*, vol. i, p. 14. Her full complement was 83.

† There were two lieutenants on the vessel, Robert Fowler and Samuel W. Flinders—brother of the commander.

Such prisoners now off the stores who are discovered in any improper behaviour, extortionate demands for their labours, or leness, will be recalled to Government labour, and otherwise alt with as the case may deserve, of which all magistrates, ficers, constables, and settlers are to give notice. They will also port all freemen who are idle, suspicious characters, that the igrant Act may be put in full force against such pests to society. No applications are in future to be made to the Governor on ndays, nor will [he] be interrupted when passing through the eets or if speaking to an officer.

1801

24 Jan.

The price of misconduct.

Applications to be made to the Secretary's office on Monday rnings, between nine and eleven o'clock in the forenoon, by those ho are in want of articles from the stores for public or private es; also, on Fridays between the above hours by those who are be put on or off the stores, and at no other time will answers given.

Office hours.

Those who have any other business with the Governor are to ply at the office between nine and ten in the morning; before after that time no person will be attended to, except those who resent for, or commissioned officers.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

Sheerness, 26th January, 1801.

26 Jan.

TAKE an early opportunity of troubling you again, Sir Joseph, with my wishes and wants. I trust to your goodness to excuse the intrusion.

Of the Investigator's present company, there are twenty-six volunteers, twenty-one of whom, from their character, will apparently do very well for the voyage. There are now nineteen Reliance's left in Jamaica,* who are all volunteers; but some amongst them I object to. From the Terpsichore there are nine volunteers, most of whom I should wish to get; and, indeed, applications to go the voyage are continual.

Volunteers.

If an order to the Port Admiral here could be procured to discharge such men, being volunteers, as I might apply for, to go in the Investigator, in lieu of others to be discharged from her, there would be no further order required. If this cannot be done, I think of making out lists of people I wish to receive, and such as may be discharged in lieu and as approved volunteers offer, to apply to the Admiralty in the usual form for the discharges. Perhaps, Sir Joseph, you may recommend other plans of proceeding; but before anything can properly be done in this business it would be formal that the new establishment for the Investigator should come out. I am not without hopes of seeing a commander included in it.

Shipping the crew.

*That is, men who had been on the Reliance, but were, at the date of Flinders's letter, in the Jamaica.

- 1801 Since writing my last, I understand that the Ordnance Board have already ordered twelve six-pounders for the ship. We shall be able to do exceedingly well with them, particularly if they are short and light guns.
- 26 Jan. —
The guns. A crowded ship. I fear we shall be dreadfully lumbered in our passage out. The room in the ship is not made the most of, but it is now too late for great alterations. This, however, is an argument why the Investigator should have a passport, for should we be obliged to clear for action it should be necessary to throw a great deal overboard. The after hold and bread-room are very small indeed.
- A master. By the end of this week I hope to have a master* down and everything in a fair training, so as to permit my returning to town for a week. Perhaps, Sir Joseph, you will smooth the way previous to my publick application.
- The mess. Two of the gentlemen may very well mess in the cabin, and the other two in the ward-room. Unless any allowance for a table is made to them, I should propose that the two should pay one-half of the mess expense in the cabin, and myself the other half. This, I think, is fair to both sides, and I shall then consider it as my mess still.
- A call to town. The Committee of Shipping at the India House have written to see me, which is one of the reasons that will induce me to apply for leave as soon as the service will permit of it.
- Begging you to accept of my highest respects,
I am, &c.,
MATTW. FLINDERS.
- The whaleboats. HAVING missed last night's post, I have an opportunity of thanking you, Sir Joseph, for your letter and trouble, and of informing you that the two whaleboats can be built here at Queensborough, and in ten days or a fortnight at the most.
- A yacht. I have delivered your commands to my kind friend, adviser, and assistant, Mr. Whidbey. He says there is no yacht at Chatham; but, with a day or two's notice, you will find one there from hence to attend you.
- Lieutenant Fowler. Mr. Fowler is gratified by your kind expressions concerning him.
- I have this day written to the Victualling Office to request an order to the agent at Chatham to give us the best casks, and the newest and best provisions, when we shall apply for them. Until we ascertain what quantity the ship will stow, I have mentioned eighteen months of salt and twelve of dry provisions to be prepared.

M.F.

* The master (John Thistle) did not join the vessel until she arrived at Spithead. He was drowned with a midshipman and six sailors off Cape Catastrophe, at the entrance Spencer Gulf. Flinders paid a very high tribute to him. (See *Flinders's Voyage*, vol. p. 139.)

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

1801

H.M. Investigator, Sheerness,

28 Jan.

Sir Joseph,

29th January, 1801.

A green-house, a plan of which was sent down by the Navy Board, is now fitting upon the quarter-deck of the ship, over the tiller. The joiners mention a plant-cabin which they are likewise ordered to fit, but have no plan of it. At present I have desired them to stop till some information comes from you, as there appears to be no possibility of finding room for it on deck. No doubt but that about the time of our returning we shall be able to stow many single pots or boxes in different parts, but I fear that no place can be found for a regular frame, in addition to the green-house.

A green-house.

The green-house will probably be applied to taking out useful plants to Port Jackson. There are no gooseberries or currants there at present. Cherries, nectarines, plums, raspberries, and some others have not reached the settlement yet; the heat of the tropics has probably destroyed them in the passage. A collection of garden seeds of the best kind would, no doubt, be a valuable present to the settlement, as well as useful to plant in the different places we may touch at.

Plants to be conveyed to Sydney.

I have as yet received no intelligence relative to the new establishment, and have therefore not applied officially for the warrant officers, &c. Neither from the Admiral's office or otherwise do I find that the Reliance's people or other volunteers are to be discharged into the Investigator; probably the post may bring some intelligence upon this head to-morrow, and also about a master, which I am equally anxious for. I have reason to believe that Captain McKellar, of the Jamaica, will throw as many difficulties as he can in the way of my getting such of the Reliance's as may be judged proper for the voyage. I waited on him this morning upon the subject.

The establishment.

Engaging the crew.

The Comptroller of the Navy informs me of having appointed a cook whom I applied for; and indeed I have every reason to admire the readiness with which the Navy Board have complied with almost every request.

The Navy Board.

Begging pardon for troubling you so often, and upon such various things, as well as for the manner of doing it,

I am, &c.,

MATTW. FLINDERS.

GOVERNMENT AND GENERAL ORDER.

Saturday, 31st January, 1801.

31 Jan.

No hogs are to be sold to the masters of ships, or to be sent on board without permission having been previously obtained from the Governor, or Lieutenant-Governor in his absence.

Exportation of swine.

PHILIP GIDLEY KING.

1801

GOVERNOR KING TO THE AMERICAN MINISTER IN LONDON.*
(King Papers.)

— Feb.

American
trader with
spirits.

Sir, Sydney, New South Wales, February, 1801.†

Mr. Parry, commander of the American ship *Follensby* having cleared out from Rhode Island for this settlement and China and having on board a very large investment of spirits, intended for this market, which His Majesty's instructions absolutely prohibit being landed, except in such quantities as may be necessary for domestic use of the officers and soldiers, Captain Parry has, therefore, been obliged to depart without selling any part of his investment, except the tobacco. As he has requested me to signify that the landing of spirits is restricted as above, and that every other species of trade is allowed of, such as tar, salted provisions, tobacco &c., I shall be glad if this communication may prevent the merchants from risking their property by sending spirits, &c., hither, the penalty of landing which, without my permit in writing, is forfeiture of ship and cargo.‡ I have, &c.,

Penalty for
landing
without
permit.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

H.M.S. Investigator,

4 Feb.

Sheerness, 4th February, 1801.

Equipment
of the
Investigator

BELIEVING you, Sir Joseph, to be anxious that the Investigator should be got ready as soon as possible, I take the liberty of stating some circumstances by which she is retarded.

Various things that yet require to be done in the shipwright's and joiner's departments cannot be got on with from the orders to the yard being expressive of particular ships which are to be forwarded. We are, however, promised to have men in a few days.

The master

No master has yet joined the ship, or have the Navy Board given any intimation that one is appointed. I need not represent to you, Sir Joseph, how necessary it is for this officer to be on board before anything is done at the holds.

and warrant
officers not
appointed.

No intelligence of the new establishment has yet arrived. I am consequently withheld from making applications for the particular warrant officers; but it is material to me that they should be on board before their stores are demanded, for the charge of them will otherwise rest upon me.

I am likewise yet in the dark as to the volunteers of the *Reliance* and the others that are daily offering, whether the Admiralty will think proper to grant them to me or not.

* Marginal note in original.—“In the Duke of Portland's No. 2, p. Trimmer, *via* India.”

† Not dated, but evidently written in February.

‡ Governor King forwarded this letter to England as an enclosure to his letter to the Duke of Portland of 10th March, 1801—post, p. 318.

On the 27th last I wrote to the Victualling Board requesting they would order that the casks containing the water and provisions for this ship should be new and of the best kind, and, until it was clearly ascertained what the Investigator could stow, to have eighteen months' salt and twelve of dry provisions prepared; and also requesting that we might be allowed the various anti-scorbutics usually given to ships upon similar service. In reply to this letter and a subsequent one of the 30th, they say: "That not having received any orders with regard to the victualling of the said ship, we have this day written to the Commissioners of the Navy for information." In the meantime they ordered water-casks for our ground tier to be sent down, but which have not yet arrived.

1801

4 Feb.

Water casks
and
provisions.

From the above causes jointly, but principally from the last, we are now at a stand.

The only material thing that is done is the having received thirty-five chaldrons of coals by an order from the Navy Board.

I have specified the sails we shall want, and they are now preparing for us.

I am well aware that the present pressure of public business will probably throw the Investigator into the background for a time; nor do I mention these circumstances as cause of complaint, but to prevent you, Sir Joseph, from receiving the impression that the slowness of our proceedings is owing to my neglect.

The cause of
delay.

I am anxious to come up to town to provide myself with various necessities for the voyage, and to confer with you about the instruments, stationery, articles of barter, &c., before the complete lists are made out; but until I see matters put into a fair training, and the necessary officers on board, it would be improper for me to leave her.

Flinders
unable to
leave the
ship.

I had thoughts of writing a public letter to the Admiralty relative to manning the ship with volunteers, but since you, Sir Joseph, have entered upon that point I feared that by doing so the plan might be marred instead of forwarded.

Volunteers.

Your last, Sir Joseph, of the 31st answers my letter of the 28th, but I do not observe anything that refers to various matters contained in a previous letter of the 26th. I do not know whether this was intentional, or whether that letter had not been received.

Correspondence with
Banks.

Your kindness prevents me from apologising further for thus troubling you. I shall therefore only say that with the highest respect,

I am, &c.,

MATTW. FLINDERS.

Should it be judged necessary, I will forward the lists of the instruments, &c., immediately, with a few comments upon them.

1801

THE ADMIRALTY TO COMMANDER FLINDERS.

5 Feb.

5th February, 1801

Complement
of Investigator.

WHEREAS we think fit that the complement of the sloop you command shall consist of the officers and men mentioned on the side hereof, you are hereby required and directed to bear the complement on her books instead of her present establishment accordingly.

Given, &c., 5th February, 1801.

EVAN NEPEAN

Officers,
seamen, and
marines.

1 captain and purser	1 carpenter	
2 lieutenants	2 carpenter's mates	
1 master	2 carpenter's crew	
2 master's mates	1 surgeon	
4 midshipmen	1 surgeon's mate	
1 clerk and steward	1 cook	
4 quartermasters	1 master-at-arms	
1 boatswain	1 cook's mate	
2 boatswain's mates	35 able	
1 sailmaker	1 sergeant	} marines
1 sailmaker's mate	1 corporal	
1 gunner	12 privates	
1 gunner's mate	1 drummer	
1 armourer		

Total, 83

THE ADMIRALTY TO COMMANDER FLINDERS.

5th February, 1801

Loading the
Investigator.

HAVING ordered the stores of the sloop you command to be completed at Sheerness for foreign service, and to be supplied with much provisions of all species as she can take on board, beer, of which she is to have as much as she can conveniently, and to be supplied with wine or spirits in lieu of the rum, you are hereby required and directed to cause the utmost diligence to be used, so far as the same may depend upon you, in getting her stores and provisions completed accordingly, and having done repair to the Nore, and remain there until you receive further order.

Given, &c.

EVAN NEPEAN

MR. SECRETARY NEPEAN TO SIR JOSEPH BANKS. (Banks's letter.)

9 Feb.

My dear Sir,

Admiralty, 9th February, 1801

Salaries.

I wish you would have the goodness to let me know what salaries to be given to the different persons who are to go on the Investigator?

Yours, &c.,

EVAN NEPEAN

* This is an autograph letter, a fac simile of which will be found facing this page. It is evident, from this and other correspondence, that the whole arrangements of the expedition were left in the hands of Sir Joseph Banks.

SIR JOSEPH BANKS TO ———*

(Bank Papers.)

1801

My dear Sir,

Soho Square, 9th February, 1801.

9 Feb.

The project I gave to Ld. Spencer for the salaries of the persons to be employed, and which His Lordship approved, was as follows:—

Proposals of Banks.

To the naturalist	£400
To two draftsmen	600
To a gardener	100
To a miner	100

The astronomer, you know, is appointed by the Board of Longitude, and receives £400 a year, the same as was given in Cook's voyage, a salary at present thought rather too low by the astronomer.

I will call upon you to-morrow morning and answer any questions you may choose to ask me.

GOVERNOR KING TO THE ADMIRALTY.

Sydney, 10th February, 1801.

10 Feb.

In consequence of an Admiralty Commission being received by me to command His Majesty's armed vessel *Reliance*, that ship and the *Buffalo* having returned to England by Governor Hunter's orders, and there being no other King's ship on the station, I have, therefore, judged it expedient for His Majesty's service to appoint myself captain of His Majesty's armed vessel *Porpoise*, and have given Mr. William Scott an order to act as lieutenant and commander of that vessel in my absence on the duties of the colony; and in consequence of Mr. Scott's representation, hereunto annexed, I have judged it expedient to order him to encrease her complement as follows, until directions are received thereon from the Right Honourable the Lords Commissioners of the Admiralty, viz:—

King's naval rank.

H.M.S. *Porpoise*.

1 captain.		Officers and crew of the <i>Porpoise</i> .
1 master, acting as lieutenant and commander, in the absence of the captain, while the vessel remains on this station.		
1 chief mate, acting as master, recommended to retain the pay fixed by the Navy Board, £5 p'r month.		
1 second mate, acting as master's mate, recommended as above; pay fixed by Navy Board, £4 p'r month.		
1 surgeon, 6th rate.	1 carpenter's mate.	
2 midshipmen.	1 armourer's do.	
1 boatswain.	1 sailmaker's do.	
1 gunner.	1 gunner's do.	
1 carpenter, 6th rate	1 quarter gunner.	
2 quartermasters.	34 able, ordinary, and landmen.	
1 cook.	1 boy, 1st } class.	
1 clerk.	1 boy, 2nd }	
1 quartermaster's mate.	2 boys, 3rd }	
1 boatswain's do.		

60

H. P. —The compensation for commiss'd and warrant officer's servants, submitted to their Lordship's pleasure.

PHILIP GIDLEY KING.

* This letter was apparently intended as a reply to Nepean's letter of the same date (p. 280, ante). It is printed from a draft in the handwriting of Sir Joseph Banks, which is neither signed nor addressed.

1801

GOVERNMENT AND GENERAL ORDER.

10 Feb.

Tickets of
leave.

10th February, 1801.

ALL prisoners whose terms of transportation is not expired and are off the stores, or those with settlers, are to attend at the Secretary's office at Sydney, on Saturday, the 21st instant, at seven o'clock in the morning, to receive their tickets of leave. Those who hold former tickets to bring them in. Those who neglect to appear will be immediately called in to Government labour.

Quit rents.

Those who are indebted to the Crown for quit rents, either for grants or leases given originally to them, or for lands, houses, &c., that they now hold by purchase, and which are due since the last payment, are to pay the same into the stores at Sydney, Parramatta, or Hawkesbury, on or before the 1st of next March. The Governor hopes that no further notice will be necessary either on this head, or that of paying the debts they owe to the stores.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.

H.M.S. Investigator, Sheerness,

11 Feb.

Sir,

11th February, 1801.

Position of
the South
Cape.

Your letters, Sir Joseph, I always receive with pleasure and consider each one as a fresh honour conferred upon me ; but your objection to the paragraph respecting the south cape — V. D. Land is particularly pleasant, as it shews the great attention you are pleased to pay to my efforts for enlarging our geographical knowledge. The intended meaning of the paragraph is correct, but I fear that the language is not sufficiently so to make the sense perspicuous. What I judge to be the south cape of Captain Cook opened round what I call the south cape, at the E. by N. His cape is consequently $3\frac{1}{4}^{\circ}$ to the northward of mine and cannot therefore be the south cape.

Flinders's
contention.

The following may perhaps be substituted with advantage* :—

"The south-west and south capes lie nearly magnetic east and west, and are eleven leagues asunder by the log ; but it is to be observed that what is here called the south cape is not what is termed by Captain Cook. If we may judge by its relative situation to his Peaked Hill and the Eddystone, it is the next head to the eastward that is called the south cape by him ; but this head opened round the south cape at E. by N., the variation being east."

* Prior to his departure, Flinders published a small volume of thirty-five pages, entitled *Observations on the Coasts of Van Diemen's Land, on Bass's Strait and its Islands, on Parts of the Coasts of New South Wales, intended to accompany the Charts of the Discoveries in those Countries, by Matthew Flinders, Second Lieutenant of His Majesty's ship Reliance* ; London, printed by John Nichols, Earl's Court, Little Newport Street, Soho, 1801. The work was dedicated to Sir Joseph Banks, and on page 4 contains a passage quoted by Flinders in the above letter. It is evident that the author submitted either his proofs or MSS. to Sir Joseph Banks, for the above extract is identical in every respect with the published work.

I begin to be very anxious to come to town, that I may have conversation with Troughton about the instruments and with Arrowsmith about the charts and memoir. The providing for a five years' voyage is also a material consideration. I now wait only for your approbation to write the Admiralty for eight days' leave; to the granting which, if you, Sir Joseph, would prepare the way, I should be obliged. One line by the next post containing your opinion on this head would be very satisfactory. A material point to be considered is that my application for leave should not interfere with the issuing of my new Commission, which you, Sir Joseph, are kind enough to give me notice of.

I have corrected the remaining rough part of the memoir, and can therefore conclude it in two or three evenings on my arrival in town.

I am, &c.,

MATTW. FLINDERS.

1801

11 Feb.

Flinders
anxious to
visit London.

GOVERNMENT AND GENERAL ORDER.

Thursday, 12th February, 1801.

12 Feb.

INSTRUCTIONS being received from His Majesty's Treasury, directing the Commissary, under the authority of Government, to advertise for such articles of grain and animal food, &c., as the stores may need, to be furnished by those persons who may offer such articles on the lowest terms,—the Governor having previous to the arrival of the above instructions reduced the price of wheat from 10s. to 8s. per bushel during the present year, and as the settlers, &c., have made their arrangements according to that price, the above regulation will not take place till after the next harvest, when such quantities as the store may need will be received in the smallest or largest quantities, according to the tenders that will then be advertised for and made. The lowest tenders will be the first received from any description of cultivator.

Grain and
animal food
for the
public
store.

Tenders to
be called for.

As an encouragement to rearing animal food, the Governor takes upon himself to confirm his order of the 17th October,* respecting swine's flesh being received into the stores at sixpence per pound for three years from that date, for such as may be necessarily maintained at the public expense; and to enable the private cultivators to raise that produce, he earnestly recommends them to cultivate maize after their wheat crops, as nothing short of absolute necessity will induce him to order any maize to be received into the stores on any account, to allow as much as possible of that grain to be appropriated for the stock.

Salt pork for
stores.

Maize for
live stock.

The Governor also recommends to the different settlers and other cultivators, an attention to raising as much wheat as their several means and abilities will allow of, not only for the domestic purpose of their families, but also to pay their just debts, and to supply the stores with their profits of such quantity as may be in

Wheat to be
raised.

* Ante, p. 247.

1801 demand, at a moderate rate ; whereby they will have a preference
12 Feb. in being able to supply themselves with such articles as they may need from ships, or from the stores, without assigning their properties to the rapacious dealers for what their own industry might procure.

Wheat for
the Govern-
ment store.

The settlers and other private cultivators will inform the Rev. Mr. Marsden, Charles Grimes, Esq., and Capt'n McKellar, as soon as possible, how much wheat they can spare after paying their debts to Government, and reserving a sufficiency for seed, and the maintenance of their families, in order that a calculation may be made of the quantity that can be received from each person—in which attention will be paid to the number of acres cultivated last year with wheat, that the real cultivator may have the preference.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

13 Feb.

13th February, 1801.

FROM there not being a sufficiency of commissioned officers in the colony to sit as members of General Courts-Martial and Criminal Courts of Judicature at this settlement and at Norfolk Island, the Governor has judged it advisable to give commissions to Francis Barrallier and Robert Anderson, gents, until His Majesty's pleasure is known thereon, they having done duty as ensigns in the New South Wales Corps since the 2nd July by virtue of Governor Hunter's General Order for that purpose.

One-half of the regiment off duty and the Sydney Association will attend the execution of the three convicts condemned to die by the Court of Criminal Judicature, the execution to take place at eleven o'clock to-morrow morning.

Spirits for
officers and
publicans.

There being about 2,200 gallons of spirits engaged by the Governor from the master of the Margaret, at six shillings per gallon, directions are given for its being divided between the officers, civil and military, at this place and at Norfolk Island ; and the licensed people, who bring money to pay for it, will receive permits from the Governor and Naval Officer, for their respective proportions, on making payment as above (or as much less as he will take,) to the proprietors.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

14 Feb.

14th February, 1801.

HIS MAJESTY'S ship Porpoise will drop down to Rose Bay to-morrow morning.

The officers and detachment ordered to embark for Norfolk Island to be in readiness to go on board at one o'clock.

It is intended that the Porpoise sails early on Tuesday morning.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

3801

Tuesday, 17th February, 1801.

17 Feb.

individuals having complained of the great decrease of
 and lambs by the curs with which this colony abounds,
 and damage done to gardens by goats ranging without a
 is the breeding stock of sheep is of the greatest con-
 the welfare of this colony, no person is to suffer any
 to follow them, or any cart, wheelbarrow, &c., the
 having given permission to those who have flocks of
 der their herdsmen to kill any dogs that approach them,
 rners will forfeit treble the value of any stock killed by
 rsons who keep cur dogs that are in the habit of flying
 re to destroy them, otherwise they will be indicted as
 . It is recommended to those who have more dogs than
 t greyhounds or terriers) to kill them, as a tax will
 laid on all cur dogs.

The dog
nuisance.

oing about without a herd are to be stopped and for-
 ae use of the Orphan School.

PHILIP GIDLEY KING.

R FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

H.M.S. Investigator,

ph, Sheerness, 18th February, 1801.

18 Feb.

ave the satisfaction to inform you that my Commission
 jesty's sloop Investigator came down here this morning,
 ich, Sir Joseph, I feel myself entirely indebted to your
 nd kindness. Panygeric, or a long train of sentences
 le, would be unpleasant to a mind like that of Sir
 nks. I will therefore only add that it shall be my
 to show by my conduct and exertions that your good
 s not been misplaced.

Flinders's
commission.

first favour, after this great act of kindness, I have
 of you, Sir Joseph, that on your first interview with
 Spencer* you will be kind enough to thank him for me
 motion which he has been pleased to give me.

Thanks Lord
Spencer.

rar to your letter of the 12th, I have to express my
 ; the Navy Board will supply me with the necessary
 instruments, and those for constructing charts, in like
 Captain Vancouver, Bligh, and Broughton were; and
 teliance was furnished with several of them.

Surveying
and charting
instruments.

h we are still delayed by the Victualling Board, I yet
 y in a fortnight that we are ready to go out to the
 to receive all the presents, stationary, and other extra
 board that may be sent.

Delayed by
Victualling
Board.

* First Lord of the Admiralty.

1801

18 Feb.

Relying upon your goodness to point out to me when I ought to apply for leave, I repress the anxiety I have to get myself fitted out and ready for the voyage in every respect, that nothing may remain behind on my part.

Mr. Crossley* is now down here, and returns to-morrow.

I am, &c.,

— MATTW. FLINDERS.

GOVERNMENT AND GENERAL ORDER.

21 Feb.

21st February, 1801.

SEVERAL prisoners whose labour is assigned to individuals having yesterday, through mistake, received certificates which were intended only for those who, from good behaviour or other considerations, had the Governor's permission to do the best they could for themselves, it is hereby ordered that any prisoner who has received such certificate does immediately return it to the nearest magistrate. A neglect of this order, or an improper use being made of those certificates, will subject them to punishment with the utmost severity.

— PHILIP GIDLEY KING.

ADMIRALTY TO CAPTAIN FLINDERS.

1 March.

1st March, 1801.

Scientists
for the In-
vestigator.

THE persons named on the other side hereof having been engaged to proceed in the sloop you command to the coast of New South Wales, for the purpose of being employed in their respective professions as against their names expressed, you are hereby required and directed to receive them, together with such servants as may be allowed to them, their baggage, &c., on board the sloop you command, and to cause them to be provided with such cabins or other places as can be conveniently allotted to them, victualling them and their said servants during their continuance with you in the same manner as your sloop's company.

Given, &c.,

ST. VINCENT.

T. TROUBRIDGE.

J. MARKHAM.

Mr. Robert Brown, Naturalist.

„ Westall, Landscape and Figure Draughtsman.

„ Ferdinand Bauer, Botanical Draughtsman.

„ Peter Good, Gardner.

„ John Allen, Miner.

* Mr. John Crossley, the astronomer. Failure of health prevented him from proceeding farther than the Cape of Good Hope.

V. T. AITON TO SIR JOSEPH BANKS. (Banks Papers.)

1801

3rd March, 1801.

3 March.

Enclosed is Peter Good's* last letter to me ; it is dated 16

I hope he is not drowned by the way. I have, from day
sent inquiries to the Scotch wharf without hearing of him.
he would answer for himself.

ave heartfelt satisfaction informing you His Majesty is
ally better. His R. H. the Duke of Kent has told me so
ternoon. The King slept eight hours last night, and is to-day
another man.

I am, &c.,

W. T. AITON.

GOVERNOR KING'S INSTRUCTIONS TO LIEUTENANT GRANT.

Sydney, 5th March, 1801.

5 March.

MAJESTY having judged it expedient that a voyage should
liately be undertaken for the survey of the south or south-
n coast of this country, and for shortening the passage
gh the straits discovered and sailed through by Lieut.
rs on the north side of Van Dieman's Land, by yourself on
oyage hither on the south-west side of New Holland, and
e Harbinger and Margaret brigs from the Cape of Good
nearly in the centre of the said straits, which are distin-
d by the name of Bass's Straits, so named after the surgeon
s Majesty's ship *Reliance*, who first established the certainty
uch a passage existed ; and the brig you command, together
he *Bee sloop*,† having been equipped, manned, and victualled
at service, you are, in pursuance of His Majesty's pleasure,
ied to me by His Grace the Duke of Portland, one of His
ty's Principal Secretaries of State, hereby required and
ed to proceed without loss of time with the said brig and
to the southern promontory of New Holland, named by
Flinders "Wilson's Promontory,"‡ and after having very
ly ascertained the latitude and longitude of that point, and
the islands lying off it so far as the Two Sisters, you will
ed to examine how far the two coves described to be in
lent's Group can afford you shelter. After having satisfied
elf on this point, and not making any delay, you will pro-
o Western Port as described in the sketch and manuscript
tive of Mr. Bass (which you are furnished with), for the
se of determining whether it will afford you shelter, and is
practicable access, in case you should want to make a port.
having ascertained this point, you will proceed to examine

Bass Strait,

named after
George Bass,to be
examined by
Grant.Western
Port to be
visited.

* Good accompanied Flinders as gardener.

† *Sloop* was forced to return to Sydney.

‡ In his "*Terra Australis*" states that it was Governor Hunter who named the
cove.

1801 the round of the two bays you describe to the westward (Wilson's Promontory, and as you report not having seen at bottom to these extensive bays* in passing across them, you will persevere in exploring them on all sides. In case either of the bays should turn out to be the entrance of a large river or deep gulph, or that you should in the further prosecution of these instructions discover any considerable river or deep gulph, you are to navigate up the same as far as the brig or sloop can proceed with safety. But should it appear that those bays are not of any great depth, and when you have completed their survey as far as weather and circumstances will allow of, you will steer S.S.E. $\frac{1}{2}$ E. from Cape Albany Otway, when you will fall in with the land seen by the Harbinger and Margaret, which appears to lie S.S.E. $\frac{1}{2}$ E. 14 or 15 leagues from the above cape. The coasts and extent of this land you will carefully explore, and endeavour to ascertain if it affords any shelter for ships or smaller vessels. You will also carefully survey the passage between it and Hunter's Island, lying off the north-west point of Van Diemen's Land. In case you completely perform this first part of your intended discoveries in such time that the remains of your provisions may allow the voyage being extended, you are in that case to proceed to King George the Third's Sound, in lat. $35^{\circ} 0' 8''$, $118^{\circ} 17'$ east long'e; and as this place has been surveyed and described by Captain Vancouver, without losing time you are to pursue the coast from King George the Third's Sound to Wilson's Promontory, in which you will endeavour to ascertain the true situation and survey of the coast within those points, keeping as general object in view—that of going to the head of any bay or river you may fall in with; and as it is the first object to make such a survey of the straits as to induce Government to publish it for the advancement of navigation in general, you will not fail pursuing every measure and advantage that may tend to this service being fully and satisfactorily completed, and on which alone must depend your being enabled to pay any attention to the latter part of these instructions. The season being so far advanced, you must use your own judgment whether you can with safety to the vessels persevere in completing the business during the following months. If you should find the weather continually bad, I would recommend your ascertaining the extent and exploring of the land seen by the Margaret and Harbinger,† and

1801
5 March.
Exploration
of the south
coast.

King Island.

King
George's
Sound.

Survey of
the south
coast.

* Lieutenant Grant was in error in his chart of this part of the coast. The longitude in which he places Cape Otway (or, as it was then called Cape Albany Otway, after William Albany Otway, one of the Commissioners of the Transport Board), was about a degree and a half in error, and he made the land to trend away on the west side of Cape Otway to a deep bay extending to 38° S. latitude, which he named Portland Bay.

† The land referred to was King Island, seen by the Harbinger and Margaret in January 1801. The two bays were parts of the south coast which had not been explored and which Grant supposed were deep bays; one lay to the east of Cape Otway, the other to the west. The former he called King's Bay, in which Port Phillip was subsequently discovered; the other, Portland Bay.

iso of the two bays to the westward of Wilson's Promontory, reviews to your return to this port.

1801

5 March.

Particular instructions.

In performing this and all such future instructions as may be given, you will take particular care to examine with diligence and survey and place with as much accuracy as circumstances will admit, all such coasts, and lay down upon your chart all such soundings as you think likely to prove useful for the guidance of one who may navigate along those shores in future, and pay special regard to the examination and accurate delineations of such harbours as you may discover and judge to be commodious for the reception of shipping, and also of such shoals and other dangers as you may from time to time meet with ; to fix in all cases when in your power the points both in latitude and longitude of remarkable headlands, bays, and harbours by astronomical observation ; also to observe the variation of the needle and the right ascension and course of the tides and currents, and to record all such observations in your journal with the most minute exactness. When you discover any considerable river, you will navigate up the same as far as the *Lady Nelson* or *Bee* can proceed with safety, carefully planning the course and the banks of it, and noting the soundings as you proceed, and to land as often as you see reason to suppose that any considerable variation has taken place either in the productions of the soil, or the customs of the inhabitants, and to examine the country as far inland as you may think prudent to venture with the small number of persons who can be spared from the charge of the vessel, whenever there appears a probability of discovering anything useful to the commerce or manufactures of Great Britain. You will note in your journal in all places when you land, either on the sea coasts or the banks of the river, your opinion of the comparative fertility of the soil, which may best be judged of by the size of the trees, and the degree of vigour with which trees, shrubs, and plants appear to you to grow, as also such articles of the produce of the soil and the manners of the inhabitants as you may deem worthy of notice ; and in all places which appear to you of importance to Great Britain, either on account of the convenience of the shelter for shipping or the probable utility of the produce of the soil, you will take possession in His Majesty's name, with the consent of the inhabitants, if any, under a discharge of musquetry and artillery, and to record the whole proceedings at length, both in your log book and journal, and if uninhabited, to set up some proper description as first discoverer and possessor. And you are to plant such seeds of fruit trees and useful vegetables as you are supplied with near to such landing places as you may discover in which a safe and commodious anchorage and easy landing render it likely that ships hereafter may frequent, and where the soil appears most fertile and productive, and to collect in all places such seeds

Examination of bays and headlands.

Navigation of rivers.

Exploration of interior.

Possession to be taken.

Fruit trees and vegetables to be planted.

1801 of trees, plants, shrubs, and grasses, as you may find it
 5 March. maturity and judge to be worthy of notice, either for th
 their particularity, or their possible utility, and to c
 Collection of specimens. specimens of vegetables, animals, and minerals as you
 likely to prove interesting to naturalists at home.

The botanist And as I have judged it necessary to direct Mr. Gec
 Caley. employed in collecting for the Right Hon'ble Presid
 Royal Society,* to embark on board the brig, you are
 and victual him, giving him as good accommodation as
 of the vessel will admit of ; and you are not to fail as
 collector as much as the nature of the service will admit,
 him in boats to such places as appear likely to be
 Assistance of curiosities, and by sparing him men for his assistance
 to be given of a soldier who is always to attend him on shore ; and
 him. assist him in facilitating as much as possible all such
 as tend to procure a knowledge of the natural hist
 country, the customs of the inhabitants, and the adv
 produce both to the commerce and manufactories of Gre

A second I have also allowed Mr. Lewin to embark on board th
 botanist. the purpose of collecting, to whom you will also a
 occasional assistance as may be in your power.

Previous to your arrival in this port, on your retu
 Journals and to demand from the officers and ship's company the j
 drawings any other remarks, drawings, or sketches that may
 made during the voyage. These, together with your ow
 journals, in which your proceedings of all kinds l
 minuted, and the plans, charts, drawings, and sketches
 made, tending to illustrate the hydrography, geography,
 history of the country, all which journals and drawing
 sealed up by you, to be delivered to me on your arriv
 to be de- harbour ; and all such seeds of plants, trees, and st
 livered to the specimens of animals, vegetables, and minerals, such
 Governor. the dresses and arms of the natives as you shall think v
 notice of His Majesty's Ministers or the Royal Soci
 transmitted by me to them. For all which this sha
 authority.

Given under my hand,

PHILIP GIDLEY

Ensign In addition to the above order, you are to receive on
 Barrallier victual Mr. Francis Barrallier, Ensign in the New So
 and a guard. Corps, and four privates as a guard, on board, who
 employed in any emergency, keeping watch with the s
 pany, and of course are to be under your command.
 it is unnecessary to caution you against their being ill-
 any inferior officer, nor are they anyways to be punishe
 communicating with Ensign Barallier. And from the op
 I have that this officer will be of great help to you in d

* Sir Joseph Banks.

such lands, &c., as you may fall in with, and be assisting in your survey, you may employ that officer as may be made conducive to completing the service you are going on. 1801
5 March.

P.G.K.

SURVEYOR GRIMES TO GOVERNOR KING.

Sir, Hawkesbury, 7th March, 1801. 7 March.

In compliance with your orders the following estimate has been made of the losses by the late inundations at the Hawkesbury and the probable quantity of wheat remaining, and the proportion that may be offered to the store. Losses of Hawkesbury settlers.

I am, &c.,
C. GRIMES.

Bushels of wheat lost...	3,589	} 13,269
484 acres of wheat, estimated at 20 bushels per acre	9,680	
1,354 acres of maize lost, estimated at 20 bushels per acre		27,080
Hogs lost		104
Bushels of good wheat remaining		19,221
Bushels of good wheat which may be offered the store		7,500
Acres of maize remaining		500
Hogs remaining		2,509
Acres of wheat intended to be sown this season		1,405

LIEUT.-COLONEL PATERSON TO THE RIGHT HON. HENRY DUNDAS.

Sir, Sydney, New South Wales, 8th March, 1801. 8 March.

Since I had the honor of addressing you on the subject of raising a corps for the service of this colony (a copy of which I enclose),* in consequence of the late insurrection at Norfolk Island I have been under the necessity of augmenting the military there to one hundred strong, which has lessened our numbers at headquarters. Augmenting the guard at Norfolk Island.

By the arrival of the Anne, transport, from Ireland, we have received some of the most desperate characters that acted in the rebellion, and we have no doubt but they will make themselves very troublesome in this country if not kept in awe by a respectable military force. These circumstances I hope will plead my excuse in pointing out to you, sir, the necessity of augmenting the military, for as the colony extends detachments will be wanted for its protection. Rebels from Ireland.

I have, &c.,

W. PATERSON,
Lieut.-Colonel, New South Wales Corps.

* See Lieutenant-Colonel Paterson to the Right Hon. Henry Dundas, 8th October, 1800, *ibid.*, p. 230.

1881

GOVERNMENT AND GENERAL ORDER.

9 March.

9th March,

Recogni-
sances for
good con-
duct.

It having been customary for the settlers and other fre-
tants to become sureties for the good conduct of those
known to be bad characters, and who have been bound
the magistrates for their good behaviour, as this abuse ha-
had the most mischievous consequences, it is to be ur-
that if any free inhabitant enter into a recognizance for
behaviour of any individual whatever, the full amount o-
cognizance (if forfeiture) will be levied on the sureties'.
It was the Governor's intention to have levied the rec-
forfeited by Cornwell on his surety Charles Cross, whi-
mitted under the hope that every one will in future be
who they become bound for.

PHILIP GIDLEY

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks

H.M.S. Investigator, Sheerness, 9th March,

The
Investi-
gator's
boats.

On my arrival here I find that the Navy Board having
the four-oared boat to be built in lieu of the five-oared v
is a mistake. The contractor has built such a boat, but
any orders. I therefore take the liberty of informing
Joseph, and requesting your interference with the Cor
that we may be supplied with this four-oared boat, acc-
my letter of Feb. 19 to the Board; for it is impossible, o
it will be less trouble to build another than to alter the
one, for she is too long, and is disqualified in some other

A master
required.

I fear that we shall scarcely be able to find a good
willing to go the voyage, the pay being so small. If the Na
would hold out some encouragement, such as the pay of a
rate, or something else considerable, which it might be o-
for them to give, I could get one immediately. Mr. Joh
due, the present master of the Iris, frigate, would enga
such circumstances, and he is a man who might answer

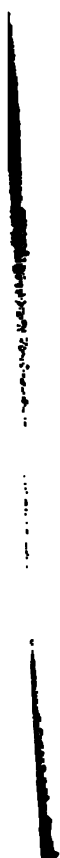
Inadequate
pay.

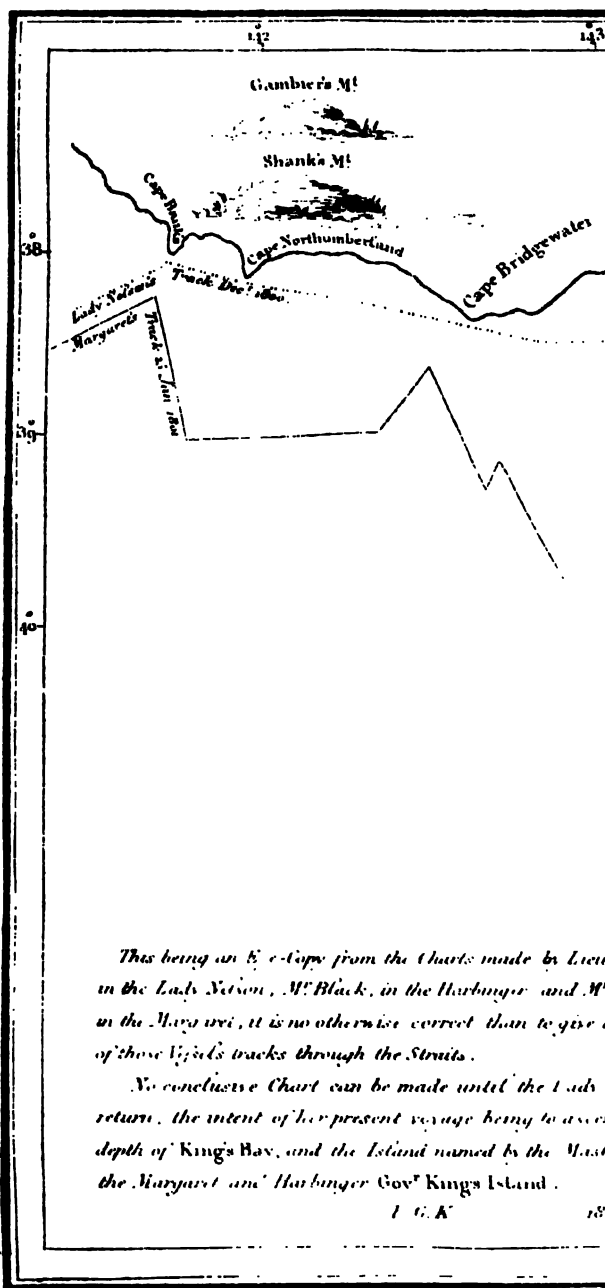
but he objects to leaving a superior for an inferior pay;
respect to pilotage, he finds that Mr. Whidbey got only fift
upon that head in the Discovery, and that with the
difficulty. The voyage certainly requires that we shou
master who is superior to the generality, and therefore

A superior
man
neccessary.

think that some superior encouragement would be but 1
this was submitted to Sir Andrew† he would see the pr
it, and probably comply, so as that we might get this offic
immediately.

* The master of the Reliance was finally appointed when the vessel lay in the
† Evidently Sir Andrew Hamond of the Navy Board.





written to-day to the Ordnance Office to hurry them with things in that Department, which I fear will be the last to be heard, and perhaps detain us; if this is not the case, I hope next week we shall be nearly ready to go out to the Little Nore. I beg pardon for beginning again so early to trespass upon silence, by recounting our wants.*

1801

9 March.

Official
delay.

I have, &c.,

MATTW. FLINDERS.

HONOR KING TO SIR JOSEPH BANKS. (Banks Papers.)

Porpoise, via India,

Sydney, 10th March, 1801.

10 March.

A very sudden opportunity offering of writing to England of Calcutta, I cannot let it pass, although I have much to do without informing you that it is probable I shall be able to send a letter which I have no doubt will get to your hands before this possibly can. The Lady Nelson arrived here safe, and the 6th instant to determine some points which want ascertained respecting the straits before any conclusive can be made. I have sent a rough eye copy of the Lady Nelson and two other vessels' track through.† They are very good. I have sent the documents thereof to the Secretary of the Admiralty through the Admiralty, I have no doubt of getting a sight of them, which I much wish, as also my sketches, the substance of which I should have informed you that I have so little time. Cayley is gone in the Lady Nelson. I hope his exertions will be satisfactory. By the Porpoise an Admiralty Commission for the Reliance, but as Gov. has taken both these ships home, I have appointed myself Porpoise, which I hope will be confirmed. I thank God I am out. Paterson, who assists me much, is well. I hope he is confirmed as Lieut.-Gov. from my order to him the day of command, September 28, 1800. As the time presses, I need to conclude this with every sentiment of gratitude and am,

The Lady
Nelson.Caley, a
passenger.Paterson as
Lieut.-
Governor.

Yours, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

and Duke,

10th March, 1801.

With this I have the honor to enclose a statement‡ of the remaining in His Majesty's stores, with the quantities

Enclosures.

By Sir Joseph Banks forwarded this letter to the Navy Board, for endorsed upon the following memorandum:—"The N.B. informed Capt. Flinders that the whaleboats provided by his particular order, an order for another boat cannot be given, but on an alteration of the smaller one being fitted to row with four instead of three, have directed their officers at Sheerness to fit her accordingly." Other vessels were the Harbinger, Captain Black, and the Margaret, Captain [unclear] rough eye copy has fortunately been preserved, and is here reproduced. Yours are not available.

1801	wanted, and an estimate thereon, and also the general statement of the inhabitants of this colony.
10 March.	I have also the honor to enclose a voucher for the purchase of some articles that it was necessary to procure from an American ship, the Diana, which touched here on her way to China; and as those articles were much wanted, I hope your Grace will approve of that purchase. Since then, it has been necessary to purchase a few necessary stores from the master of the Royal Admiral, which will amount to nearly the sum of £481 17s. 10d. sterling, for which payment has not yet been made, nor for wheat, &c., purchased from individuals since last September, when I took the command. It amounts, by the Commissary's report, to £2,475 6s., making in the whole nearly £3,289 9s. 4d.
Purchases from captains	By the Commissary's report, £798 10s. worth of wheat, &c., has been paid into the stores, in liquidations of the debts due to the Crown by individuals, and £1,334 16s. worth remains due, which, I fear, will not be in our power to collect this year, on account of the inundations that have lately happened.
and individuals.	Agreeable to my instructions, every article now issued from the stores to individuals for their own use is to be paid for, except what is issued to those labouring for the public, which greatly reduces the expenses of the colony. The little spirits that are purchased for the Crown is principally for the use of the constables and overseers, to whom a pint each week has always been given as an encouragement. Some is spared to settlers, at an advantage to the Crown, as well as tobacco, which the Commissary will particularly state in his yearly accounts when they are transmitted; and I hope, now that the whale fishery is established on this coast, and the advantages of the Straits, that your Grace will allow of the articles being sent out for sale to the inhabitants which I specified in my letter by Governor Hunter, and before I left England, which will not only be of service to the inhabitants, but will also greatly lessen the expences of the colony, which it is my constant study to do by every means in my power, and which I trust the papers sent by this conveyance will fully prove.
Wheat paid into store.	I have, &c.,
Payment for provisions.	PHILIP GIDLEY KING.
Spirits and tobacco.	
The expences.	

IMPORTATION OF CATTLE FROM INDIA.

Parties to agreement.

It is covenanted, concluded, and agreed upon, this tenth day of March, in the year of our Lord one thousand eight hundred and one, and in the forty-first year of the reign of our sovereign lord George the Third, by the grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, by and between His Excellency Philip Gidley King, Esquire, Captain-General and Governor-in-Chief in and over His Majesty's territory

of New South Wales and its dependencies, for and on behalf of His Majesty of the one part, and Robert Campbell, merchant, now resident at Sydney, in that territory, for and [on] behalf of himself, his partners at Calcutta, and his and their executors, administrators, and assigns, of the other part, in manner following— that is to say, the said Robert Campbell, for himself, his partners, his and their executors, administrators, and assigns, hath contracted, agreed, and engaged, and by these presents doth contract, agree, and engage, to freight a ship or ships at Calcutta with the following articles for the use of His Majesty's colonies in New South Wales, upon the terms and conditions hereinafter made and hereinafter mentioned; that is to say, the said Robert Campbell, for himself, his partners, his and their executors, administrators, and assigns, doth contract, agree, and engage to embark in one or two ships, one hundred and fifty head of large cows, fit for the purpose of breeding, and two male and four female asses; that there shall not be put on board of the said ship or ships any cow or cows whose age shall be less than two years or more than three years, at the time of embarking; and that provisions and water sufficient for the use of the said cattle shall be embarked with them, at the expence of the said Robert Campbell and his partners. And the said Robert Campbell, for himself, his partners, his and their executors, administrators, and assigns, doth further agree, contract, and engage, that no part of the further cargo of the said ship or ships, nor any article of trade whatsoever, nor anything belonging to the said ship or ships, shall be stowed on the same decks with the cattle, or be in anywise suffered to interfere with their accommodation. And the said Robert Campbell doth, moreover, for himself, his partners, his and their executors, administrators, and assigns, contract, agree, and engage to procure a certificate from under the hand of the commanding officer of His Majesty's forces for the time being, at such port or ports in India whereat the said cattle shall be embarked, of his, the said Robert Campbell, or his partners, having put on board the said ship or ships, one hundred and fifty head of cows and six asses, to be conveyed to His Majesty's settlements at Port Jackson. And the said Robert Campbell, for himself, his partners, his and their executors, administrators, and assigns, doth contract, agree, and engage to furnish the said one hundred and fifty head of cows at the rate of twenty-eight pounds of lawful money of Great Britain for each cow, and eight pounds eight shillings for each ass, contracting likewise, agreeing and engaging to be paid only for such of the said numbers as shall be landed and deemed merchantable in the said colony at Port Jackson. And if any of the cows should calve on the passage, all such calves are to be at the option of the said Philip Gidley King, Esquire, to take or not; but if they are healthy it is understood that he, the said

1801

10 March.

Importation
of cattle
from India.Ship to be
reserved for
cattle.Certificate of
lading.Price of the
cattle.

1801 Philip Gidley King, is to pay eight pounds eight shillings for each calf so calved on the passage. And the said Robert Campbell, for himself, his partners, his and their heirs, executors, and administrators, doth further contract, agree, and engage to ship for the use of the said colony, ten tons of sugar, which shall be in quality to a muster or sample now delivered in by the said Robert Campbell, and to be paid for such as is merchantable when landed, at the rate of sixty pounds sterling for every ton. And the said Robert Campbell, for himself, his partners, his and their executors, administrators and assigns, doth further contract, agree, and engage that he will not embark a larger cargo on account of Government than the number of tons stipulated. And he, the said Robert Campbell, doth further contract, agree, and engage that the ship with the freight as aforesaid shall, wind and weather permitting, and fire and the damage of the sea excepted, arrive at Sydney Cove, in Port Jackson, in the territory of New South Wales, in twelve calendar months from the day of the departure of the brig Trimmer, or as soon after as possible. And he, the said Robert Campbell, doth also contract, agree, and engage, that he will not ship, nor cause to be shipped, on board the vessel or vessels that may be employed in this service, to be freighted by him and his partners, to this colony, any other stock than the cattle purchased for the use of the colony, such excepted as must be absolutely necessary for the use of the officers and people of the said ship. And he, the said Philip Gidley King, Esquire, as the Governor as aforesaid, doth contract, agree, and engage, on behalf of His Majesty, that the said Robert Campbell shall receive at the rate of twenty-eight pounds of lawful money of Great Britain, for every head of cattle which he, the said Robert Campbell, shall deliver, or cause to be delivered, in a fair merchantable condition, in His Majesty's settlement as aforesaid, whether the number so landed shall exceed one hundred and fifty or not, and for every calf calved on the passage, as aforesaid, and for every ass that shall be landed, the further sum of eight pounds eight shillings. And the said Philip Gidley King, Esquire, for and behalf of His Majesty, doth further contract, agree, and engage, that the said Robert Campbell shall receive at the rate of sixty pounds sterling per ton for ten tons of sugar, which shall be landed and received in the colony, in a fair merchantable condition, and equal in quality to the muster now delivered by the said Robert Campbell, each and every of these articles to be paid for to the said Robert Campbell, his partners, his and their heirs, executors and administrators, by bills drawn at ninety days' sight upon the Right Honourable the Lords Commissioners of His Majesty's Treasury. And the said Philip Gidley King, Esquire, for, and on behalf of His Majesty, doth contract, agree, and engage to deliver, or cause to be delivered, the cargo aforesaid, within

10 March.

Ten tons of sugar.

To be delivered within one year.

Payments by the Crown

to be made by bills.

twenty-eight days from the day of the arrival of the ship in Sydney Cove; but, in case it should happen that the said cargo should be detained longer on board than the number of days above limited, he said Robert Campbell shall be allowed at the rate of her daily expence for every day she shall be detained after that time at the port of landing as aforesaid. And in order that the colony may not suffer by any accident which may prevent the receiving the cows, &c., where contracted for, the said Philip Gidley King, Esquire, doth further contract, agree, and engage, for and on behalf of His Majesty, that this contract shall be binding to all parties in freighting a second ship with the cows, &c., above specified. And to the true performance of all and every the contracts, conditions, and agreements above mentioned, on the part and behalf of the said Robert Campbell and his partners, to be kept, done, and performed, he, the said Robert Campbell, bindeth himself, his partners, his and their heirs, executors, administrators, and assigns, unto the said Philip Gidley King, Esquire, for and on behalf of His Majesty, in the penalty or sum of one thousand pounds of good and lawful money of Great Britain, to be recovered and paid by these presents. In witness whereof he, the said Robert Campbell, on behalf of himself and partners, hath set his hand and seal to the one part hereof, and to the other part hereof the said Philip Gidley King, Esquire, for and on behalf of His Majesty, hath also set his hand and seal the day and year first above written.

1801
10 March.
Provision
against
accident.

Penalty
bond.

PHILIP GIDLEY KING.
ROBT. CAMPBELL.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,
10th March, 1801.

My Lord Duke,

I have the honor to forward a duplicate of my despatch by Governor Hunter who left this the 17th last October, in His Majesty's armed ship Buffalo. Two very uncertain opportunities have since offered of writing a short letter by each, the substance of which makes a part of this.

Despatches
by the
Buffalo.

His Majesty's armed vessel Porpoise arrived here 6th November, the Royal Admiral 21st November, and Lady Nelson 16th last December. By these vessels I had the honor of receiving your Grace's letters dated as pr. margin*, with the people, provisions, and stores, as stated in the Commissary's receipts herewith enclosed. Your Grace will observe that forty-three convicts less than were put on board the Royal Admiral, were landed here. The deficiency the master accounts for their having died in the early part of the voyage of a malignant fever, and I am sorry to

Arrivals.

Convicts by
the Royal
Admiral.

* "15th and 19th March, 1st and 2nd April, 1800." These despatches are not available.

1801 say that those landed are still in a very weak state from the
10 March. effects of that dreadful disease. Many are crippled, and others too aged to do any material labor.

Commissary Palmer. On Mr. Commissary Palmer's arrival, he delivered to me a letter from Mr. Secretary Long, dated November 1st, 1798,* addressed to Governor Hunter, inclosing instructions from my Lord's Commissioners of His Majesty's Treasury, for the Commissary's guidance in discharge of his duty. The third article of these instructions, a copy of which I enclose, is very clear in directing the Commissary to draw on their Lordships for the payment of such provisions and stores that it may be necessary to purchase on the public account, under the authority of the Governor for the time being. As I possess no other documents on this head than the verbal communication I had with Mr. Secretary King when in England, Mr. Secretary Long's letter to me when Lieut.-Governor of Norfolk Island, together with Mr. Secretary Dundas's instructions to Governor Hunter, in which authorities it was expressly stated "that all bills drawn for public purposes in the settlement should be drawn by the Governor for the time being and by no other person,"† by all which, and my local knowledge of the colony I was guided in framing the enclosed instructions to the Acting Commissary, before Mr. Commissioner Palmer's arrival; but on his producing the above instructions from such an high authority, my duty appeared to acquire an acquiescence therein until I was honoured with their Lordships commands, to whom I have written in the enclosed letter, and I humbly beg to request your Grace's commands thereon by the first conveyance. In the meantime, as I am required to give the Commissary an order to draw those bills, every precaution will be used, both for the necessity, as well as the publicity and validity of those transactions.

Employment of the Lady Nelson. By the Royal Admiral and Lady Nelson I received your Grace's instructions how the latter vessel was to be employed.‡ How far your Grace's commands on that head have been, and will be, observed, I beg to refer your Grace to my separate letter on that subject.§

Viticulture. The two Frenchmen|| arrived by the Royal Admiral, who, I observe by your Grace's letter, are sent to cultivate the vine, and make wine, not only for the Crown, but also for promoting it on the part of individuals. Agreeable to the terms of their agreement made with Captain Schank, as contained in his letter, to which I am referred by your Grace for my guidance, and their letter to me (a copy of which I have the honor to enclose), I have directed

* See these Instructions to Commissary Palmer, vol. iii, p. 500.

† See the concluding paragraph of Dundas's letter to Hunter of 1st July, 1794, vol. ii, p. 227.

‡ Portland to Grant, 21st February, 1800, ante, p. 57.

§ See King's letter to Portland of the same date as this (10th March, 1801), post, p. 333.

|| These two Frenchmen were sent out to cultivate the vine—ante, pp. 76, 77, 78. They were originally prisoners of war.

is state, except by one or two individuals, who have
l from persevering by their vines failing, evidently
wing their management. All the vines growing in
ould not cover two acres of ground, most of which,
eing in bad situations, must be so cut as to lose one
nd as the vineyard that I have set the Frenchmen
icts about at Parramatta, must be planted with
h will not bear for two years, consequently it will
e end of the third year (1803) that any quantity of
xpected. But, as they are both intelligent men, and
unt in the business they have engaged in, I hope we
which will be a great benefit to the inhabitants.

State of the
vineyards.

ected the Commissary to conform to your Grace's
ntained in your letter, concerning the salaries of
its, storekeepers, &c., who have no agent in England
or on the Colonial Agent, and not on His Majesty's
t, as there are some who receive salaries that are
imate, such as the above two Frenchmen, and the
ed with the whole of the Government stock, and
r, I presume the regular mode will be to draw on
ps for those amounts, which your Grace will observe
the Commissary's statement of probable expences
ear, which I shall hereafter refer to.

Salaries of
superinten-
dents.

ure (No. 5)* is my answer to a despatch I received
ernment of Bengal, addressed to Governor Hunter,
the inconvenience felt by the resort of convicts from
to different parts of India, to which I annex the
in India on that behalf, and the notice I gave
is measure will, no doubt, prevent much of the
at has been made from this colony.

Convicts
escaping to
India.

h concerned to state that from the certainty that
ngland and America (and East Indies until lately),
ities or quantities of spirits would be received here

Wholesale
importation
of spirits.

- 1801 quarter, still the evil does and will exist until a stop is put to being brought by the ships taken up in England or Ireland bringing convicts, &c., out. It appears to me that this can only be remedied by the Transport Board being directed to inform the masters of vessels taken up for this colony that no permission will be given by the Governor for more than 500 gallons of any kind of spirits being landed, and even that quantity to be subject to the restrictions contained in the Port Orders, a copy of which I enclose, and which I respectfully recommend being sent to the Transport Board, that no master of a ship coming here may place ignorance of what it is his interest not to make himself acquainted with. At present there is not a ship that comes from England with convicts that does not bring less than 8,000 gallons. One vessel has had the audacity to bring a quantity of spirits as water instead of spirits; and such has been the certainty of America of any quantity of spirits being purchased here, that a ship cleared out from Rhode Island for this port with a very large investment of spirits and other articles, the former of which I positively forbade being landed, in consequence of which she left this port, after having completed her water and refreshments, with upwards of 13,000 gallons of spirits brought here for sale, in which they were disappointed. The master's plea was the assurance that those who had been here before that he could not fail of getting an unheard-of profit. At his request I have written the enclosure to the American Minister,* in case your Grace should approve of it, as the readiest means of preventing the American merchant from sending any more spirits here; and I do most ardently hope that the measure I have taken the liberty to recommend respecting ships coming from England will greatly do away with this evil, the consequences of which have been dreadful, and still continue very distressing. It is a deep rooted disease, which requires some forbearance and management to get the better of, and I trust that the means that I have and am taking will greatly lessen these evils.
- Since the departure of Governor Hunter, I have used every means to ascertain the numbers of every description of persons in the colony, which has not been done without much difficulty, owing to the scattered state they were in, the numbers who had obtained false certificates of their times being expired, and there being no general list whatever of the inhabitants; but I am happy to say that those necessary books are now nearly completed. Since I have taken the command, I have found it necessary to strike 931 full rations off the public stores, which had either no claim for being victualled at the public expense, or whose good behaviour entitled them to the privilege of doing for themselves. And as several of the settlers and private cultivators requested me to assign the labour of a certain number of convicts, to feed and clothe them at their

* See Governor King to the American Minister in London, 31st January, 1801, ante, p. 301

of the civil and military, the aged, infirm, and crippled men,
 and women and children who must necessarily be maintained
 at public expense, or a great part of the latter would starve.
 Here, my Lord, it becomes a painful part of my indispen-
 sability to inform your Grace of such circumstances as have
 arisen within the last four months, that have not only retarded my
 progress for the public benefit, but also such misfortunes which no
 foresight could foresee or avoid. In my despatch by Gover-
 nment I informed your Grace of the seditious and mutinous
 behaviour of the Irish convicts, which I am sorry to say by no
 means ceased with the measures then taken, and the principals of
 the rebellion being sent to Norfolk Island. A second attempt
 was made, still more diabolical than the first, had it not been
 discovered. Pikes were found, but altho' the circumstances
 were clear and plain to every one's conviction, yet no two evidences
 were brought against a third person, such is the art with which
 they carry on their plans; and altho' everything was ready for
 insurrection and massacre, yet as no overt act had taken
 place I did not conceive myself justifiable in adopting more rigorous
 measures (which I conceive our situation might have excused) than
 severe corporal punishments on the most guilty, and forming
 them into a gang in constructing batteries, and repairing roads
 under the immediate eye and inspection of the military. But
 though a necessary work of public utility, does not procure
 the necessities of life. Since then, we have been very quiet until
 the arrival of the Ann, transport, from Cork, with 135 of the
 desperate and diabolical characters that could be selected
 out of that Kingdom, together with a Catholic priest† of most
 wicked, seditious, and rebellious principals—which makes the
 number of those who, avowing a determination never to lose sight
 of the path with which they are bound as United Irishmen, amount
 to 1000, are ready, and only waiting an opportunity to put their
 evil plans in execution. I do not wish in the most distant

The Irish
 rebels.

A second
 attempted
 rebellion.

Punishing
 the ring-
 leaders.

United
 Irishmen.

1801

10 March.

The New
South Wales
Corps.Folly of
swamping
the colony
with
political
prisoners.

The steady behaviour of the officers and men of His Majesty's New South Wales Corps, the discipline and good behaviour of the associations and the greater part of the English inhabitants, are so many sureties to me of peace and tranquility being observed. Still, the state of suspicion we must be necessarily in, prevents those public exertions in cultivation that would otherwise take place; and it is on this account that I respectfully submit the propriety of any more of those violent Republican characters being sent here for some time, and particularly the priests (of which we have now three). I am well aware, my Lord, that this colony was formed for the reception of such characters as could not with safety be kept in Ireland or England; yet, being now in an infant state, what may not be expected if their numbers are allowed to increase to so great a degree as to encourage them in making these attacks, which must ultimately tend to subvert all order and good government. With our present numbers I see no real ground for alarm, and I shall do my utmost to preserve that peace and good order so necessary for the prosperity and even well-doing of this colony.

An unfore-
seen cala-
mity.Three floods
in the
HawkesburySettlers
driven from
their homes.

I have now to inform your Grace of one of those calamities with which it pleases God sometimes to afflict mankind, and which no human foresight can avoid. In the 3rd, 4th, and 5th paragraphs of my letter by Governor Hunter,* I detailed the licentiousness, beggary, and misery of the settlers, and the causes of their being in that state, which has had the effect of most of their grounds lying waste. How far my endeavours have been directed to remedy these evils I trust will appear from the enclosed copy of my General Orders. The few who had been enabled to cultivate any ground last year had fair prospects of a bountiful return for their labour, which I am sorry to say has been defeated by three successive inundations of the Hawkesbury since last December, the last of which happened the 2nd and 3rd instant, has swept away half the stacks of wheat and destroyed nearly the whole of the corn and swine at the place, on which our chief dependance for animal food rest. To detail these additional calamities of the numerous settlers at that place will be exhibiting such a state of woful misery that is but seldom seen or heard of. Thrice in four months have they been drove from their habitations to save their lives in trees and pieces of floating wood, until the floods subsided, when they found themselves deprived of every comfort, cloathing, or shelter; their wheat that was housed, that in their stacks, and their growing corn totally destroyed; and what is a greater public calamity, their stock of swine nearly all drowned.

* See Governor King to the Duke of Portland, 28th September, 1800, ante, p. 179; see also Surveyor Grimes estimate of losses by floods at the Hawkesbury, 7th March, 1801, ante, p. 309.

From the former abundant crops at the Hawkesbury (which is certainly the finest soil in the world), almost the whole of private industry has been centred there, which has produced a great dependence on that quarter for supplying grain to the other parts of the colony. Exclusive of its amply maintaining upwards of 100 people who were off the stores at that place, and who must now exist in misery until next year, and I have my doubts whether in the meantime a great part of them must not be taken to the stores to prevent their starving. Had not this last flood happened we might have had a sufficiency of grain for the consumption of this year. But this unfortunate accident has deprived nearly of half the grain there was in the colony, and what remains your Grace will observe is very unequal to the consumption of those who are necessarily maintained from the public stores. Thus situated I am apprehensive it may be necessary to dispatch the Porpoise either to the Cape or Madras for a supply of grain, but this I shall not do until there is a necessity for that measure.

1801

10 March.

The finest soil in the world.

Destruction of grain.

Respecting our live stock and animal food, I respectfully request your Graces reference to 7th, 8th, 9th, and 10th paragraphs of my letter No. 3,* by Governor Hunter, wherein I possessed your Grace of every circumstance that came to my knowledge respecting the stock, both public and private, and how far it ought to be depended on for our present and future resources. Since that period I have had every reason to be satisfied with the person whom I appointed to the superintendence of that valuable part of the public property. The stock belonging to the Crown is now well cured of the inveterate disease they had been suffered to contract. They are collected and well managed. By the enclosed weekly return your Grace will observe the numbers possessed by Government and by individuals, all of which are doing well, and I have no doubt will continue to thrive and increase. But the want of stock-houses for Government cattle has been a great disadvantage to them, and the sheep in particular. This want I hope soon to remedy by placing them under shelter in the wet seasons. Of the wild cattle, no other calculation can be made of them than that they are alive and increase fast in numbers. From the report of several people, who have got out lately, they appear to have passed the Nepean, and got far into the mountains, from whence they divide in herds, several of which have been seen, but in so ferocious a state as not to be easily approached. Their numbers are calculated at about 500 or 600 head. As it has now become an object to secure some of them, three convicts, who profess themselves equal to the task, have made an offer to catch some of them. I have, therefore, made an agreement to give them one out of every ten they bring in for the first hundred. How far they may be successful time

Live stock.

The superintendent of stock.

The wild cattle.

Attempts to secure them.

* See Governor King to the Duke of Portland, 28th September, 1800, ante, p. 203.

1801 must discover. As they mean to proceed by stratagem in getting
 10 March. the cattle, I am not without hopes of our recovering a part of
 them ; and if they fail, the cattle cannot be in a wilder state than
 they are at present.

Store-
keeper's
returns.

Killing the
live stock.

Necessity for
importing
salt meat
from Eng-
land.

Importation
of cattle.

Contract
with Robert
Campbell.

In this place I humbly beg to press upon your Grace's considera-
 tion how unequal our resources are in supplying ourselves with
 animal food. By the enclosed returns your Grace will observe
 that out of 5,515 inhabitants 2,736* support themselves at no
 expense to the public, and 2,779† are necessarily supported by the
 Crown. Those who support themselves of course live by their own
 labor ; but still they cannot exist without appropriating a great
 part of the increase of their private stock to their maintenance,
 which precludes them from contributing towards the support of
 those who are necessarily maintained at the public expense, and
 whose only resource for animal food is the salt meat sent from
 England, or killing the breeding and labouring stock, which has
 been procured at so great an expense, and which your Grace will
 observe, by comparing the stock with the numbers in the colony,
 that any resource from the stock in its present state would be
 soon exhausted, and the colony deprived of the future advantages
 to be expected from it. And it is through a full persuasion of the
 many evils that will happen to this colony if we are obliged to
 destroy the breeding and labouring stock that compels me to
 repeat my request of salt pork being continued to be sent here.
 As your Grace will observe, by the Commissary's returns that we
 have not more than twenty-eight weeks' salt meat remaining in
 the stores at a full ration for those victualled ; and what renders
 this supply the more necessary is that the settlers are deprived
 of present means of supplying the stores with any animal food
 owing to the loss of their swine and corn in the late floods.

Governor Hunter having taken the Buffalo to England, the
 Porpoise not being equal to bringing more than ten or fifteen head
 of cattle, of which our present numbers are by no means equal
 to render the colony independent for some years, without the
 importation of an increase to that stock ; and as the introducing
 a number of cows must greatly hasten that desirable point, I
 have judged it advisable to contract with a Mr. Campbell (who is
 partner in a house at Calcutta, and has been some years resident
 here with Governor Hunter's leave), to bring down from Bengal
 150 cows, not exceeding two years and a half old, as stated in the
 contract, a copy of which I have the honor to enclose,‡ by which
 your Grace will observe that the price agreed on is only £38 a
 head, which is £7 a head cheaper than those contracted for by
 Major Grose in 1793, and £9 a head cheaper than those furnished

* Note by Governor King.—"Equal to 2,300 full rations."

† Note by Governor King.—"Equal to 2,348 full rations."

‡ See the text of this contract, ante, p. 312, et seq.

Mr. Hogan. The necessity of this proceeding, and the reason- 1801
 terms of the contract, I hope will procure me your Grace's 10 March.
 approbation; and as it appears that the ration of sugar has been
 reduced in consequence of a Treasury regulation on that head, I
 have added 10 tons of sugar to the contract, at 6½d. per lb., to be
 paid by the ship that brings the cattle.

Respecting the cloathing for those who are supported by the Clothing for
 Government, your Grace will observe by the Commissary's statement convicts.
 that he wants the quantity of cloathing that remains, and what
 more he wants, if none are on the passage; of those remaining in
 the colony, and received by the Royal Admiral, a great part have been
 expended, expended on those at public labour (who had not
 been employed any for a considerable time), and a quantity has been
 expended of to individuals in exchange for grain. The manufac-
 ture of linen and woolen is begun with some success; but as the Linen and
 convicts generally sent to this colony are of such depraved and cloth.
 habits as to be incapable of labour further than they are com-
 pelled, but few can be found accustomed to this kind of industry.
 However, as measures are taking to carry this manufactory on
 to some effect, I expect in another year a quantity of linnen
 will be made; but for the woolen manufactory, we must depend
 on the increase of our sheep, and growth of wool, of which there
 is now a small but increasing quantity that has been obtained by Spanish
 introduction of some Spanish and half-bred rams. No master sheep.
 weaver has yet been appointed in the room of him who died
 long out. These manufactories are at present conducted by
 convicts, who appear equal to that charge. As they will soon
 gain a conditional emancipation, if their conduct continues to
 merit, in the course of another year, I shall take it upon me to
 reward them the salary appointed for the weaver who died.

The house purchased, conditional on your Grace's approbation, The Orphan-
 of Capt'n Kent (the letters and vouchers for which I had the age.
 honour to transmit by the Buffalo), will soon be filled with seventy
 children; and a commencement is made in building a large house
 for that purpose at Parramatta, which will be carried on at the
 expense of the inhabitants, and by the funds stated in the General
 Orders, herewith enclosed.* In this plan I mean to persevere, as
 the only means of obtaining any reform among the inhabitants of
 which this colony is composed.

In a separate letter† by Governor Hunter, I had occasion to state Crown
 the measures I was compelled to take for the recovery of such debtors.
 parts of the debts due to the Crown by individuals as had been
 extracted since the year 1795, and which they acknowledged,
 paying a small part of the debt stated by the Acting Commissary

* See Government and General Order, ante, pp. 232, 243, 250, 289.

† See Governor King's letter of 14th October, 1800, ante p. 243, and his Government
 General Order of 12th January, 1801, ante, p. 238.

1801 to be due. A part of those debts are now paid in grain,* and the whole would have been liquidated but for the unfortunate immoderations that have so lately happened.

Coal-mining.

Working operations at George's River.

The coal mines at Newcastle.

Convicts seize a vessel

but are captured.

Clergyman for Norfolk Island.

I am sorry it is not in my power to speak more satisfactorily present respecting the coals, of which so sanguine an expectation was formed by different accounts previous to my leaving England. The want of vessels belonging to Government has hitherto prevented my sending to the rivers, where there are great quantities lying on the surface, some of which has been brought round here in boats belonging to individuals; but from their being taken from the surface they have little or no bitumen in them, and are totally unfit for the forge. In my letter, No. 1,† by Governor Hunter, I had the honour of informing your Grace that I had employed the only miner there is in the colony, with eleven other convicts, in searching for coal in this neighbourhood, and with some hopes of success. The place he has fixed on is at the head of George's River, which is navigable to Botany Bay. In that situation he has opened a shaft 30 feet deep, and has bored 50 feet, making in all a depth of 27 yards. In that space he has passed two thin stratas of a very fine coal, and from the opinion he formed of the other stratas he is very confident of succeeding. If he should in the end fail here, I shall remove him and his men to the northward at the rivers, altho' [this] neighbourhood on many accounts would be the most desirable to succeed in, as it is by no means safe to send a vessel without the harbour, so frequently have the convicts found means to take them away. In this place, I am sorry to inform your Grace, that fifteen desperate characters seized a Government vessel of 25 tons,‡ laden with 500 bushels of wheat, on its returning from the Hawkesbury. They kept possession of the vessel, with an intention of proceeding to some Dutch settlement among the Molluccas; but from the want of ability to manage her they soon ran her on shore and bilged her, saving their lives with difficulty. They afterwards seized a small vessel, belonging to an individual, lying in the Coal River. On receiving information, I sent a party after them in a boat, who recaptured the vessel they had seized, and brought off nine of the pirates in, two of whom have been executed and the other seven transported for life. Those examples, and the miserable state of those I pardoned, I hope will prevent any future attempts of that kind.

The clergyman that was engaged to go to Norfolk Island, and who ought to have arrived by the Porpoise, I find did not choose to proceed in that ship, or the Royal Admiral, without assigning

* Note by Governor King.—“£2,126 and £798 10s.”

† See Governor King's letter to the Duke of Portland of 28th September, 1800, ante, p. 181.

‡ Probably the Colonial vessel the Norfolk, ante, p. 254.

any reason or excuse.* In reporting this circumstance to your Grace, I feel much for the part I took in engaging this person, and the trouble he has occasioned; but as I hope his salary has been stopped at the Treasury, I have to request that as only one clergyman now remains in this colony and Norfolk Island, that the Rev. Mr. Johnstone, who went home in the Buffalo, may be directed to return hither as soon as possible, or another clergyman in his stead, as one alone is very unequal to the duties of our present extended settlements.

1801
10 March.

I am sorry to inform your Grace that the Deputy Judge-Advocate, Mr. Richard Dore, died the 13th December last. As Mr. Richard Atkins was appointed to act in that situation during the absence of the former Judge-Advocate (Capt. Collins), I have directed him to perform the duties of that office until His Majesty's pleasure is signified thereon.

Death of the
Judge-
Advocate.

Since my return of superintendents, &c., employed in the colony, I have found it necessary to discharge the master carpenter for a constant neglect of duty, and have appointed Thos. Whiten to do that duty.

The master-
carpenter.

I have the honor to enclose a copy of Major Foveaux's last letter to me, in which your Grace will observe that the insurgents sent to Norfolk Island had nearly carried one of their wild plans into execution. The pikes found—of which the Major sent several here—are completely handled, and ready to use. I trust that the peculiar [position] that officer found himself in will be deemed an excusable reason for the steps he and the officers judged it necessary to adopt on that occasion; and I cannot pass over this subject without observing that Major Foveaux's conduct since he has been on that island has been highly meritorious in carrying the instructions I gave him into effect, and as such I respectfully hope that if no naval officer is appointed to that island, in the future arrangements that may be made, that the appointment may be given to that officer, who from every account I hear appears highly deserving of that trust.

Mutiny at
Norfolk
Island.

Major
Foveaux.

In a former part of this letter I mentioned the Anne's arrival with 127 Irish convicts and 20 women. The master reports that before that ship's arrival at the Brazils, the convicts rose on the officers and ship's company, and had nearly murdered the master and one of the mates. Fortunately the insurgents were overcome; when the officers all agreed in opinion with the master, that it was necessary to execute the ringleader as an example, which was done, and another shot in the affray. The master and chief mate have been tried by a Vice-Admiralty Court, which has honourably acquitted them. The proceedings of the Court are forwarded by his conveyance to the Judge of the Admiralty. I cannot help

Insurrection
on a trans-
port.

The ring-
leader exe-
cuted.

* The Rev. C. Haddock, vol. iii, p. 2 (note).

1801 observing in this place that the whole of the convicts that came by that ship are of the most desperate character.*

10 March.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

Births and deaths.

SICK, Hurt, &c., from October, 1800, to January, 1801.

Month.	Civil and Free People.			Convicts in Hospital and Quarters.			Births.				Deaths.				
	Men.	Women.	Children.	Men.	Women.	Children.	Civil and Free People.		Convicts.		Civil and Free People.		Convicts in Hospital and Quarters.		
							Males.	Females.	Males.	Females.	Men.	Women.	Children.	N.S.W. Corps in Hospital.	
1800.															
October ..	3	3	1	4	49	19	8	..	..	4	3	..	..	..	1 1
November	11	9	6	7	122	16	14	..	..	5	5	..	..	..	5 1
December	7	6	5	4	159	13	13	2	..	3	5	1	..	1	3 ..
1801.															
January ..	3	4	1	6	111	17	5	..	..	..	5	..	..	..	2 ..

W. BALMAIN,

Surgeon to the Territory of N.S. Wales.

N.B.—The state of births and deaths in this report is accurate as far as comes within our knowledge, but people die and children are born without our being made acquainted therewith.—W.B.

* The circumstances of this mutiny were related by the captain and published in the *Portsmouth Telegraph* of 9th February, 1801. Captain Stewart's letter was dated from St. Janeiro, 26th August, 1800. On the 29th July, 1800, when in latitude 6° 32' N., longitude 21° 34' W., the captain, mate, and gunner went below to fumigate the prison with gunpowder and vinegar. The instant the smoke began to rise the captain was seized by the throat by a convict, who vociferated, "Death or liberty!" The mate and gunner were at the same time seized by others, and a party of about thirty convicts, who were exerted on deck, secured a cutlass from an African centinel and some iron bars from the cabot and the mutiny became general. The officers and men were, however, quickly armed, and the convicts on deck overpowered before their companions from below could join them. The captain, mate, and gunner, bruised but otherwise uninjured, regained the deck by the aid of two convicts, and order was restored. A meeting of all the officers was held, and the ringleader, Marcus Sheehy, was immediately shot in the presence of all the convicts. Christopher Grogan, the ringleader of those on deck, received 250 lashes; and "thus adds the captain," ended this disagreeable affair."

LIVE STOCK.

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[Enclosure No. 2.]

1801

A RETURN of all Government Stock, March 7th, 1801.

10 March.

Government live stock.

	Horned cattle.					Horses.					Sheep.					Goats.		Hogs.	
	Bulls.	Cows.	Bull calves.	Cow calves.	Oxen.	Steeple horses.	Mares.	Fillicys.	Colts.	Geldings.	Rams.	Ewes.	Wethers.	Ewe lambs.	Wether lambs.	Male.	Female.	Boar.	Sows.
Parramatta	5	210	87	104	39	1	23	1	3	2	5	324	177	127	66	4	2	1	5
Toongabbee	4	84	65	97	29	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Seven Hills	2	24	13	21	8	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Hawkesbury	1	18	..	..	8	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sydney	2	16	6	6	32	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total.....	14	352	171	228	106	1	23	1	3	2	5	324	177	127	66	4	2	1	5

No increase of horned cattle since the last return; decrease of do.—1 cow, 1 bull calf. Both died suddenly in one day; supposed to have been bit by snakes. Do. two young bull calves dead from the severity of the weather.

Increase of sheep since the last return 3

Decrease of do. 1

Individuals—3 bulls, 1 ox, 1 cow.

N.B.—One wether sent to Sydney the 5th. Every species of cattle belonging to Government is in good order, and one third of the cows with calf.

I have, &c.,
JNO. JAMIESON,
Superintendent of Stock.

Stock owned by Individuals.

Private stock.

Female cattle	...	...	...	...	...	150
Male do.	...	...	...	...	...	140
Female sheep	...	...	...	...	...	4,040
Male do.	...	...	...	...	...	3,000
Swine	...	...	...	...	...	4,500
Goats	...	...	...	...	...	2,300

PHILIP GIDLEY KING.

GENERAL STATEMENT of His Majesty's Settlement in New South Wales, 10th March, 1801.

Civil Department.

1 Governor, 1 Acting-Lieut.-Governor and Lieut.-Colonel N.S.W. Corps, Civil Department.
1 Acting Deputy Judge-Advocate and Registrar V.A. Court, 1 Surveyor of Lands, 1 Commissary, 1 Principal Surgeon, 1 Deputy Provost-Marshal, 1 Secretary to the Governor and Lieutenant N.S.W. Corps, 1 Chaplain (absent on leave in England), 2 Assistant Surgeons, 1 Deputy Surveyor, 2 Deputy Commissaries (1 absent on leave in England), 14 superintendents, 2 storekeepers and 2 Frenchmen, 11 women, children above ten years, 6 children above two years, 3 children under two years.

1801

*Military Department.*10 March.
Military.

Colonel (absent on His Majesty's leave in England), Lieut.-Colonel (Acting Lieutenant-Governor), 3 Captains, 4 Lieutenants, 5 Ensigns, 1 Adjutant, 1 Quartermaster, 1 Paymaster, 1 Surgeon, Surgeon Mates, 21 serjeants, 14 drummers, 439 privates, 108 women, children under ten years old, 127 children above two years old, 64 children under two years old.

Vice-Admiralty Court.

Judge, Acting-Lieut.-Governor, Registrar (*see* Judge Advocate), Marshal and Serjeant at Mace.

People off
the store.*People not Victualled from ye Stores.*

1,725 men, 608 women, 403 children—2,736, number not victualled from the stores; 2,309, number full rations not victualled from the stores.

Convicts
victualled.*Convicts Victualled from the Stores.*

1,156 men, including 45 settlers and freemen; 275 women, including 56 freemen and settlers' wives; children above ten years, 265 children above two years, 88 children under two years.

Loyal Association Victualled.

50 Sydney; 40 Parramatta.

Total
number
victualled.*Number Victualled at the different rations.*

1,832 whole, 394 two-thirds, 398 half, 155 quarter, 4 natives victualled from the public stores; 2,779, number victualled from the public stores; 2,348, whole number at full rations; 5,515, number of souls in the settlement.

Settlers.

387 men; 14 women.

Week's Provisions in the Stores at the established Rations.

1 wheat and maize as flour, 12 weeks in stacks, belonging to Government; 9 weeks 3 days beef; 18 weeks 4 days pork; sugar.

Norfolk
Island.

STATE of the Settlement on Norfolk Island, 13th March, 1801.

Civil
Department.*Civil Department.*

1 Acting Lieutenant Governor, 1 Deputy Judge-Advocate, 1 Acting Deputy Commissary and Storekeeper, 1 Acting Principal Surgeon, 1 Deputy Provost-Marshal, 3 superintendants, 1 master carpenter, 1 beach-master, 3 children above ten years of age, 6 children above two years.

Military.

Military Department.

4 Ensigns, 4 serjeants, 4 corporals, 2 drums, 88 privates, 5 women, 6 children above two years of age, 4 children under two years of age.

People off
the store.*People not Victualled from the Public Stores.*

182 men, 62 women, 4 children above ten years of age, 44 children above two years of age, 16 children under two years of age.

Free people

Free People.

8 men, 5 women, 3 children above ten years of age, 5 children above two years, 4 children under two years of age.

NORFOLK ISLAND.

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<i>Settlers.</i>		1801
7 free people, 12 convicts.		10 March.
<i>Emancipated.</i>		
8 men, 6 women.		
<i>Convicts.</i>		Convicts at Norfolk Island.
201 men, 86 women, 17 children above ten years of age, 126 children above two years of age, 30 children under two years of age.		

Numbers on the different Rations.

348 whole, 124 two-thirds, 143 half, 38 quarter. 653 numbers victualled from the public stores; 512 whole number at full rations; 961 number in the settlement.

<i>Weeks Provisions at Established Rations now in the Stores.</i>	<i>Rations.</i>
4 wheat as flour, 14 pork, 4½ beef.	

WILLIAM BROUGHTON,
Acting Deputy Commissary.

GOVERNOR KING TO THE DUKE OF PORTLAND.*

Sydney, New South Wales,
10th March, 1801.

My Lord Duke,

An opportunity offering of sending this to India, from whence I shall request its being sent overland, I have to inform your Grace that the Porpoise, Royal Admiral, and Anne are arrived here with the people, provisions, and stores put on board those vessells, and that the Lady Nelson arrived here safe the 16th December, having passed thro' Bass's Straits, agreeable to your Grace's directions. She is sailed to explore the Straits and the S.W. coast, agreeable to your Grace's directions. I have not my King's despatches to your Grace by this conveyance, but being too large to be sent overland I do not apprehend they will get home before December next. As they contain every detail I shall only trouble your Grace with what presses most.

* * * * *

The number of swine cannot be ascertained, having lost a great number by the last inundation at the Hawkesbury; their numbers may be about 4,500. From all which your Grace will observe that to kill the above stock for those victualled by the public would be destroying all our future hopes. Among the papers which your Grace will receive by way of India will be found the most correct statements of this colony. Among them

* This letter was marked by King, "Separate, A." Parts of it were identical with paragraphs in the preceding letter, and have therefore been omitted.

1801 your Grace will find the following calculation as a yearly esti
10 March. of the expences of this colony (in our present state) in the ar
of provisions, viz. :—

Annual expenditure.	Full rations issued from the stores is 2,348.	£	s.	d.
	Value of each full ration is £12 9s. 9d., which for			
	the above number is	29,346	16	3
	Value of grain raised this year by Government,			
	estimate is	2,645	0	0
	Yearly estimate for present numbers, exclusive of			
	stores, clothing, and superintendant's salaries	26,706	16	3
	To be sent from England—Value of salt pork, i.e.,			
	488,384 lb. at 8d. per lb. for one year	16,279	5	4
	Probable sum for grain and sugar purchased in the			
	colony for the above numbers	10,427	10	11

Rations in
store. There now remains in store 28 weeks' salt meat and 12 we
grain for the numbers victualled. I fear it will not be in
power to procure a sufficiency of grain from the settlers to r
out the year till the next crop, owing to the inundation ha
carried away a great part of their wheat stacks at the Haw
bury ; but everything shall be done to make it last the year
the next crops are got in.

Irish rebels. I am sorry to say that the number of Irish republicans la
sent to this colony occasion us much trouble ; but from the g
conduct of the New South Wales Corps, the Association,
English inhabitants, I see no cause for real alarm, but it wil
highly necessary to be on our guard.

The mails. As I am told no larger letter or different paper than this
be sent overland,* I hope your Grace will excuse this mode
making this early communication respecting that part of our s
ation which I think it my duty to possess your Grace of as s
as possible.

I have, &c.,

PHILIP GIDLEY KING

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord Duke,

10th March, 1801

The New
South Wales
Corps. I have the honor to enclose Lieut. Col. Paterson's retu
of the New South Wales Corps, and beg leave to refer your G
for further particulars to the duplicate of my letter by Gover
Hunter, sent herewith.

Promotions
of officers. From the scarcity of officers to perform the common dut
have been under the necessity of appointing Lieutenants P
and McKellar to the local rank of captains, and to enable En
Barrallier and Anderson to sit at Criminal Courts and Gen
Courts-Martial, I have given them acting commissions as ens
until His Majesty's pleasure is known. The former, who is ac
in a death vacancy, I respectfully hope may obtain that app
ment. They are both deserving young men.

* This letter was sent by Governor King, *via* India, by the Trimmer.

† This return is missing. Other returns will be found on pp. 285 and 328, ante, as
and 495, post.

The battery on the west side of Sydney Cove has been reconstructed, and is now capable of annoying any vessel with effect. A battery is also in forwardness opposite the entrance of the harbour, which will completely prevent any attack from without, and our exertions must soon be turned to securing ourselves from any attempts of the Irish Republicans, of which so many have lately arrived here, and their being no internal defences whatever. As these works have and will continue to be constructed under the direction and superintendence of Captain Abbott, of the New South Wales Corps, I hope your Grace will be pleased to confirm my appointment of him, as stated in the duplicate of my letters by Governor Hunter, sent herewith, he being very zealous and active in constructing those works, and no other expence than the convicts' labour attending them.

1801

10 March.

The batteries at Dawes Point and Middle Head.

Constructed under Captain Abbott.

I have pleasure in noticing the general and regular behaviour of the New South Wales Corps.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.*

Dear Sir, Sydney, New South Wales, 10th March.

By the round of India I have the opportunity of sending my dispatches, altho' I have my doubts whether a quicker conveyance may not offer.

Despatches via India.

By my letter to the Duke of Portland you will observe that I have endeavoured to make the clearest possible calculation of the unavoidable expences of this colony, and I hope you will allow that much has been done in reducing these expences. I do not despair of doing it still more so, notwithstanding the many hindrances daily thrown, or attempted to be thrown, in my way. It will be absolutely necessary to send salt meat out, and that as soon as possible, otherwise I fear for the cattle, which every policy requires should be very sparingly touched for some time to come, as we are in a fair way of getting as independent in three or four years for animal food as I hope we shall continue for grain, altho' the knowing ones here predict a want of [that] article from the restrictive laid on spirits.

Expenses of the colony.

Salt meat.

A dealer, or rather the agent of a dealer, is gone to England with an intention of prosecuting me for ordering about two hundred gallons of liquor to be staved, he having, in disobedience of orders, purchased some convicts salt provisions just as it was received from the stores, for spirits, the actual consequence of which was that the convict must either rob, or do worse, to maintain himself for the remainder of the week.† The master of an

200 gals. of spirits staved.

* A private letter.

† See the case of John Harris, whose license to sell spirits was on this account cancelled by Governor King, ante, p. 279.

- 1801 American ship has wrote home to his owners to cause a complaint to be made that I would not suffer him to land 13,000 gallons spirits. In fact, I have so many things of this kind to contend with, that I must be callous to them until the ends which so long call for a check are got under, and I hope not to be deceived the support I expect from His Majesty's Ministers; for that, cannot look to any person here except Col. Paterson, whose exertions I place much confidence in.
- 10 March. It has been impossible for me to detail the losses of individuals from the floods that have so often happened here during the last four months. Many are ruined, and much grain and stock totally destroyed.
- Floods in the Hawkesbury.
- Irish republicans. If many more of the Irish Republicans are sent out here I do not know what will be the consequences. I shall do my utmost to prevent any bad ones; but they certainly are not a proper description to people an infant colony with. They have hitherto kept us in a constant state of suspicion.
- A botanist. By the Anne I received a letter from you respecting a young man sent out here as a botanist, named Gordon.* It appears that he is employed by a Mr. Woodford, who has neglected to send me any directions respecting supplying this man with £8 per month, which he informs him in his letter and his agreement that he has done. The man is victualled from the store, and I have given him assistance.
- Cattle from India. I hope the contract for the cattle from India will be thought advantageous when it is considered how much less they will cost than those formerly brought here, and I will answer for it that they will come at least £50 a head cheaper than any brought here by a king's ship. The asses we want much as a breed.
- Miscellaneous. I wished much to strike the ration of sugar off, but found it unadvisable in our present state. The ration of all species is as directed by the Treasury order. Unless any advantage should be considered in my drawing such bills as are wanted, I can see no objection, but as the Commissary cannot draw any but by my order, if that part of my duty can be spared I should be glad, as I have much, very much, to attend to, and in fact ought never to be off my legs, but constantly overseeing all descriptions. I hope the business of getting my letter ready will excuse my writing a longer letter. With every wish for your health and happiness.
- I am, &c.,
- PHILIP GIDLEY KING.
- Richard Atkins. P.S.—The person I have appointed to act as Judge-Advocate, in the room of Mr. Dore, deceased, is a Mr. Atkins, who you have heard much about. His history, Mr. Manton (who will apply for his confirmation) will inform you of. He is brother to Sir George and General Benger—in fact he is the only man in the

* George Caley mentions this man in one of his letters to Sir Joseph Banks.

colony equal to the business, of which he acquits himself very well, and I hope will continue to do so, altho' I am sorry to say he is sometimes addicted to the bottle; but he has made very fair promises, and I dare say will attend to them as far as he can. It is doubtful to me if a fitter man can be sent from England for the present salary.

1801
10 March.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,
10th March, 1801.

My Lord Duke,

By the Royal Admiral and Lady Nelson I have the honor of receiving your instructions* respecting the latter, and your Grace's letter to Lieutenant Grant† (which he received previous to his leaving the Cape) directing him to pass through the straits that separate Van Dieman's Land from New Holland, which service the enclosure‡ will inform your Grace he has performed; and as his provisions and waters did not allow of remaining any time to explore the straits, he only passed through and was thereby prevented from ascertaining some points that would have been satisfactory. Two other vessels§ have also passed through those straits, but as they were on a voyage of commerce, no other information was obtained from them than that they found an island|| lying across the entrance of the straits, leaving a channel about 15 leagues wide; therefore, no conclusive chart can be transmitted until the Lady Nelson's return. That vessel being refitted, caulked, and provisioned for six months, sailed the 6th instant to prosecute the instructions contained in the enclosure,¶ which I hope will meet Your Grace's approbation, and should that vessel return before an opportunity offers of for forwarding this letter, I shall communicate such observations as may occur. As I received no instructions from any department how that vessel was to be officered, manned, or paid, I have been obliged to act therein from my own judgment, for the good of His Majesty's service, and furthering the purpose she is sent here for. She has been very liberally fitted out by the Transport Board. The officer who brought her out was directed to deliver her up to me, and her stores, &c., he having a commission for the Supply, which has long been lying here condemned as unfit to proceed to sea. The seamen who brought the Lady Nelson out at very high wages (i.e., four and six pounds a month) were agreed with to be discharged on their arrival here, all which has been complied with, according to the agreement made by the Transport Board, Lieut. Grant having drawn bills on that Board for each man's wages. There being no other naval

Voyage of the Lady Nelson.

Bass Strait.

A voyage of discovery.

The Lady Nelson.

Her crew.

* Ante, p. 57.

† Ante, p. 57.

‡ See Lieutenant Grant's letter to Governor King, ante, p. 268.

§ These vessels were the Margaret and the Harbinger.

|| King's Island.

¶ The enclosure referred to was Governor King's instructions to Lieutenant Grant, ante, p. 306 et. seq.

1801 officer here than Lieut. Grant, and it being at that officer's option
 10 March. either to return to England or continue here, I offered him the
 Lieut. Grant appointed commander. command of that vessel, which he readily accepted, and for which the enclosure* is a copy of the appointment I gave him, wherein you will observe the establishment I fixed for that vessel. As I do not consider myself authorised to continue the high wages the other officers and men received for bringing her out, and none of them choosing to re-enter for the wages given in the Navy, I was under the necessity of giving conditional emancipations to some of the best behaved seamen among the convicts to enable them to serve on board the vessel, and to receive the pay given in the Navy. This pay will be given them here until I have the honor of receiving further directions on this subject; and I respectfully hope to be informed the first arrivals what establishment she is to be considered on—whether that of the Navy, Transport Board, or the Colonial. As the good behaviour of those men who are conditionally emancipated to serve in that vessel will entitle them hereafter to a free pardon, I am hopeful that the most beneficial consequences will result therefrom.

Floods in the Hawkesbury. Owing to the most unheard-of weather in this country, we have had three inundations at the Hawkesbury within the last four months, which has deprived us of a sufficiency of grain for this year, on which account it will be necessary to despatch the Porpoise when she returns from Norfolk Island to Madras, by way of Bass's Straits, for as much rice as she can stow, which will not be more than 100 tons.

The Colonial fleet. In consequence of Governor Hunter having ordered the Reliance to England, and taking the Buffalo home with him, I hope your Grace will consider the necessity of one of those ships being sent out again as her services are much wanted. A similar establishment to that of the Porpoise (without a captain) would be fully sufficient, and perhaps better calculated to render essential service than if so much room is taken up for officers' accommodation, which of course prevents more cattle being stowed. Whenever a peace takes place I shall recommend sending any vessels that may be on this station to Foule Point, Madagascar, for cattle, where they will be got very reasonable, and the voyage will be shortened through Bass's Straits.

King, captain of the Porpoise. Enclosed I have the honor to submit to your Grace's inspection my letter to the Admiralty respecting the appointment of myself as captain of His Majesty's armed vessel Porpoise,† and my reason for so doing, together with the several documents therein alluded to and for which I respectfully beg your Grace's interference in getting so necessary an appointment confirmed, which the Lords of the Admiralty had provided for by sending me a Commission to command the Reliance.

I have, &c.,

PHILIP GIDLEY KING.

* See Governor King to Lieut. Grant of 1st January, 1801, ante, p. 286. † Ante, p. 283.

LIEUTENANT McKELLAR TO SECRETARY OF PUBLIC DEPARTMENT, 1801
CALCUTTA.* (King Papers.)

Sir, Sydney, 10th March, 1801. 10 March.
I received yours of the 17th last July by the Trimmer, Spirits from India.
Captain Foggo, who you inform has, from some peculiar circumstances, been allowed to bring four thousand gallons of spirits to this place, which was shipped before the proclamation on that head took place. From the quantity of spirits in the colony, the Governor has been under the necessity of prohibiting the sale of that article for three months to come; and as an advantageous contract has been made with Mr. Robert Campbell, resident here and partner in the house of Campbells, at Calcutta, to bring down cargo of cattle at £28 a head, and ten tons of sugar at 6½d. per cwt., he has given Mr. Campbell leave to ship and bring down four thousand gallons of spirits for the domestic use of the civil and military on this establishment. I have, &c.,

Concession to Campbell.

NEIL McKELLAR,
Secretary.

GOVERNMENT AND GENERAL ORDER.

14th March, 1801. 14 March.
LIEUT.-COLONEL PATERSON having represented to the Governor that several of the inhabitants are purchasing the bedding and barrack furniture issued to the soldiers, it is to be understood that those articles, being the property of the Crown, both before and after it is issued to the soldiers, every person purchasing or receiving those articles will be prosecuted for receiving stolen goods, and if a prisoner, he will be sentenced to one year's hard labour in the battery gang. Purchasing barrack furniture.

As some individuals have applied to the Governor to interfere in obliging their creditors to receive wheat from them for 10s. per bushel for bargains made previous to the reduction of the price of wheat to 8s. per bushel, it is to be understood that where those bargains are made to be paid in wheat at the Government price, that the price so agreed for must depend on which is given by Government at the time the wheat is paid, unless the creditor chooses to take it at the former price, which is at the rate at which the Government debts are paid, which are contracted before the order. But this being a concession on the part of Government is not to operate with respect to private bargains between individuals. Settlement of debts in wheat.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

17th March, 1801. 17 March.
THERE being reason to apprehend (from inundations and other accidents the crops have suffered) an insufficiency of grain to supply
Original note in original :—"To Sect'y of Pub. Dept., Calcutta, p. Trimmer, Capt. Foggo."

1801 the inhabitants, no grain, flour, or bread is to be sent on board
 17 March. any ship, now lying, or that may arrive, in this port, without
 Exportation particular permit from the Governor; and the masters of ships are
 of grain pro- recommended so to arrange the allowance of those articles of the
 hibited. ship's company, that they may not feel any inconvenience from
 the smallness of the quantity of those they will be allowed to
 receive on board.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Paper.)

H.M.S. Investigator, Sheerness, 17th March, 1801.

Banks's
illness.

YOUR indisposition, Sir Joseph, has given me much uneasiness
 on many accounts, but I sincerely hope that the strength of the
 attack is passed, and that its duration will be very short. Mr.
 Greville has been kind enough to write me of some things which
 I mentioned to you, and he has succeeded in partly obtaining what
 we wanted. He tells me that he thinks it would not now be any
 torment to you to read a letter or hear it read; I have therefore
 taken the liberty of writing to say what I have done. By this
 post a letter goes to the Navy Board submitting the case of the
 master to them, but no particular person is proposed. On Monday
 Mr. Nepean would receive a private letter, wherein I stated the
 proper time of sailing, and used it as a plea to urge the forwarding
 of the books, stationary, charts, and articles of barter and presents.
 I mentioned that the small quantity of water which our provisions
 and stores would enable us to carry would make it requisite for us
 to touch at two or three places in our passage, and expressed a wish
 that we might be allowed to touch at Guernsey for our private
 convenience.

The
Investi-
gator's
master.

Small
stowage for
water.

Various
appoint-
ments.

The Investi-
gator's
establish-
ment.

The officers'
journals.

I asked concerning the appointments of the draughtsman and
 naturalist, and also of the passports, and whether it was still
 intended to appoint a third lieutenant to the ship.*

As Mr. Crossley purposes to join in a few days, I thought it
 necessary to remind Mr. Nepean that it would be requisite for me
 to have an order to bear supernumeraries, and took the liberty of
 adding that "I know it was the wish of Sir Joseph that the men
 of science and their servants should be borne for wages also, that
 they might be eased of the expense of servants' wages."

I included also, but forgot to mention, concerning the officers'
 journals being sent home. At present a certain part of their pay
 cannot be received without two journals being delivered or sent
 home; but, as I apprehend, it is intended that no journals or
 accounts whatever should be sent home publicly, either by myself
 or officers, the order that directs this should be accompanied by

* Whatever the original intention was, a third lieutenant was not appointed, the only
 lieutenants on board the Investigator being Mr. Robert Fowler and Mr. Samuel W. Flinders,
 brother of the commander.

her to dispense with the journals of the commander and officers 1801
 the Investigator in passing their accounts. If this is done pre- 17 March.
 sely to our leaving England it will be in time, and I should have
 tioned it to Mr. Nepean as a memorandum only.

We have gotten our guns and powder on board and our sails
 Just now we are painting the ship, and at the end of this
 k fully expect to be ready for the Nore. Should the obtaining
 passports detain us any considerable time, I apprehend it would
 s well for us to remain where we are until the body of the
 cles which are to come from town are received. I have orders
 p out to the Nore with all expedition, which were given by
 d Spencer when passports were not intended, and as no counter
 ers are since come down they must be put into execution. I
 tioned this matter likewise to Mr. Nepean, but whether public
 iness will allow him to give any answer, or even consider the
 er over, I cannot tell. I still hope, Sir Joseph, that you will
 our us with a visit. Mr. Whidbey and myself will be otherwise
 ch disappointed. Preparations for depar-
 ture.
 Hopes for a
 visit from
 Banks.

That you may be speedily restored to the world that looks up to
 is the most fervent wish and hope of, Sir Joseph,

Yours, &c.,

MATTW. FLINDERS.

LIEUTENANT GRANT TO GOVERNOR KING. (King Papers.)

H.M. Armed Surveying Vessel Lady Nelson,

Sir, Pt. Hicks, N. by E. 12 miles, 18th March, 1801. 18 March.

Seeing a vessel to windward of me, and judging you would
 to hear of us as often as opportunity will permit, I sit down
 write you a few lines before she joins us, as I suppose she is
 and to Sydney, and from her situation I presume is one more
 o has come through the Straits. The Bee, no doubt, has arrived
 gere now. I, on the Tuesday morning after she parted, got
 dy into Jarvis's Bay, and sailed early on the Friday morning
 the wind at N.E., which only lasted thirty hours, so that we
 re been nearly five days beating in sight of Cape Howe and
 did not weather it, the wind being now south, but moderate. Head winds.

During our stay in Jarvis's Bay we were by no means idle, which
 I'll be convinced of, I hope, when we arrive.

The weather I have had for these five days past convinces me
 the Bee would have been a very great retard to us, if worse
 sequences had not happened to her, for the sea here when it
 was hard, owing, I presume, to the current setting strong against A cross sea.
 wind, makes it run confused and break much, which the boat

1801 could not have stood. We are all in perfect health. Mr. I
 18 March. has got nearly well of sea-sickness, and we have had the
 compass to work, which he now understands thoroughly.
 is well, and all my people are comfortable and happy.

I am, &c.,
 JAS. C.

GOVERNMENT AND GENERAL ORDER.

22 March. 22nd March,
 MR. JOHN THOMPSON being appointed wharfinger and ins
 goods landed from merchant vessels, and having occasio
 The wharfinger. and inspect places about the cove during the night, is to
 and inspect places about the cove during the night, is to
 centinels and watchmen upon making himself known.
 The taptoo to beat at 8 o'clock and the guards to m
 until further orders. PHILIP GIDLEY

THE REV. JOHN YOUL TO THE LONDON MISSIONARY SO

[Extracts.]

28 March. Sydney, 28th March,
 The morals of the colony. IN respect to the religious state of the colony, we need
 inform you that no other spot on the face of the habital
 contains more witnesses of the awful depravity of human
 Sin, like a mighty torrent, overspread the land. The
 of Sydney and Paramatta in some measure enjoy the
 grace since their first establishment, yet hitherto apparen
 little success.

A mission station. In respect to establishing a mission here, we know not
 say. There is no doubt but it may be practicable, and
 might be followed with much good, both in respect to our
 fellow-countrymen and original inhabitants [who] would
 give up their children to be educated after the manne
 English.

Your unworthy servants in the Lord—all the missions

JOHN YOUL
 Secr

GOVERNOR KING TO SECRETARY NEPEAN.

Dear Sir, Sydney, New South Wales, March,
 Correspondence by the Porpoise. By His Majesty's armed vessel Porpoise, which arriv
 6th November last, I had the honor of receiving a commissi
 their Lordships appointing me captain of His Majesty's
 vessel Reliance,* and as Governor Hunter had some t
 ordered that ship to England, and having taken the Buff
 with him, I judged it necessary, for the furtherance
 Majesty's service, to appoint myself captain of His M

* Ante, p. 50.

armed vessel Porpoise ; and as the duties of my office as Governor require my general attendance on shore, I gave Mr. Scott, who bought the Porpoise out, an order to act as lieutenant and commander in my absence, but without any wish on his part of being informed as such, he being an old master in the Navy.

It was my intention not to increase the complement of the Porpoise, but since her return from Norfolk Island, Mr. Scott having represented the necessity of such an augmentation, I have taken it on myself to make the arrangement contained in the enclosures, which I hope will meet their Lordships' approbation, as it is now far short of any armed vessel that has hitherto been at this station.*

1801

— March.

Captain of
the Porpoise.Her comple-
ment of
men.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

2nd April, 1801.

2 April.

MR. WILLIAM NEATE CHAPMAN, storekeeper at Norfolk Island, is appointed a Deputy Commissary in the room of Mr. Thomas Laycock resigned, with the Governor's approbation of his conduct during the time he has had the command. Mr. Chapman is also appointed secretary to the Governor, according to a previous arrangement, in the room of Capt. MacKellar, Aid-de-Camp ; the latter gentleman being sworn in as a magistrate for the colony, and as such is to be respected and assisted.

Deputy
Commissary
and Aid-de-
Camp.

In addition to the General Order of the 1st of October last,† and in consequence of instructions received by the Britannia, South Sea whaler, all masters of whalers, and other vessels arriving here with goods for sale, also all importers and consignees, are to deliver to the Governor's secretary a signed copy of the original invoice and prime cost of such articles (previous to permission being given to trade), to the truth of which they are to make oath if required.

Notice to
importers.

An investment of goods being arrived by the Britannia, South Sea whaler, and sent by the approbation of Government, and consent of the East India Company, the Governor, agreeable to his instructions, has judged proper to direct the Commissary to receive the said investment into His Majesty's stores, and to issue the same in such proportions as may be directed, on the following terms, viz. :—An advance on the prime cost (as expressed in the bills of lading lodged in the Commissary's hands) to be allowed the proprietor of 50 per cent., and 11 per cent. insurance, making together 61 per cent. on the prime cost.

Retailing
the Britan-
nia's cargo.

* The remaining part of this letter is a duplicate of that to Portland of 10th March, 1801, ante, p. 316, and is therefore omitted.

† Ante, p. 220.

1801
2 April.
Payment for
goods.

Those who have the present means, either of lodging wheat, fresh pork, or money in payment for the above, in the stores, will receive such proportions as may be directed for the use of their families at 61 per cent. on such articles as do not require unpacking, and 66 per cent. on such articles as require to be unpacked; but, after those articles are received into the stores, the charge of 25 per cent. will be made in addition to the 61 per cent., making together 86 per cent. on the prime cost. A list of the articles the Commissary is directed to publish as soon as possible. The days of issue are Fridays. Application for orders to be made at the Secretary's office on Thursday.

A holiday. To-morrow, being Good Friday, is to be observed as a holy day. Part of the regiment and inhabitants to attend Divine service at ten o'clock.

Given at Government House, Sydney, April 2nd, 1801.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

9 April
Selling
spirits on
Sunday.

9th April, 1801.

LICENSED people selling spirits or entertaining any description of persons in their house, outhouses, or other premises from daylight on Sunday mornings until 9 o'clock at night will not only forfeit their license but will incur the penalty of £10; and if any other person shall presume to disobey this Order, all spirits found in their possession will be seized, and the offender otherwise punished, for a breach of these as well as former Orders on this head.

PHILIP GIDLEY KING.

SURVEYOR-GENERAL ALT.*

10 April
An invalid
officer.

10th April, 1801.

WE, the undersigned surgeons, having examined and questioned Augustus Alt, Esq., touching the complaints which he has stated as rendering him unfit to execute the duty of Surveyor-General, and are of opinion that he is unable to execute the duty of Surveyor-General by reason of infirmity from old age, impaired eyesight, and general decline of health; and we have made this examination so carefully that we are ready to confirm the truth thereof upon oath if required.

Given, &c.,

W. BALMAIN, Surgeon to the Territory.

JOHN HARRIS, Surgeon, N.S.W. Corps.

JNO. WILSON, Surgeon, H.M. Ship Porpoise.

* See Alt's memorial to the Duke of Portland, 27th April, 1801, post, p. 347.

GOVERNOR KING TO WILLIAM CHINNERY. (King Papers.)

1801

Dear Sir, Sydney, New South Wales, 10th April, 1801.

10 April.

I received your's dated March 11th, 1800, and am much obliged to you for the information you gave me respecting the remuneration which I found by a letter of later date that you have paid it to my agent. It is a very pleasant strike off from the debtor side of his books.

Pleasant pecuniary transaction.

I am very sorry for Mr. Sykes's not attending to get the money for the superintendants and others, as it has placed a great degree of mistrust on their minds, exclusive of the great disappointment they experience in not finding their bills on him answered as they have reason to expect, particularly when they send their certificates home regularly.

A dilatory agent.

If the disappointment has been great to the numbers he is agent for, it is still more distressing to a man named Martin Timms, who has constantly been returned ever since July, 1793, as superintendant of convicts at Norfolk Island, and, indeed, he is the only one that has continued there, and he is still in that situation. By a letter from Mr. Sykes it appears that you informed him that Timms "must be paid in this country," which cannot be done otherwise than by drawing for it, and you are the person on whom those bills are to be drawn, by the Duke of Portland's directions, and not the Treasury.

An unfortunate superintendent.

If this circumstance should admit of any doubt or explanation, you will find that Timms, by the returns to the Secretary of State and Treasury, has constantly been returned as superintendant of convicts on Norfolk Island since July, 1793; that he has been the only one who has remained in that situation until the present period; and that notwithstanding that the establishment of Norfolk Island was made separate from that of New South Wales in 1797, for the year 1798, yet the two additional superintendants fixed by that establishment were not appointed (until after I took the command), 13th January, 1801; and as Martin Timms as ever been the third superintendant and never been paid, of course, it strikes me that the proper fund to pay him from will be from the salaries arising to you from the estimate for three superintendants on Norfolk Island (where one only has been employed until last January), at £50 each, including the years 1798-99 and 1800 up to January, 1801, making the unclaimed sum of £475 up to last January remaining in your hands. Timms's salary from July, 1793, up to last January amounts to £368 13s. 4d.; but he received £25 from me as a part of his salary in 1794 (which is all that he ever has received or any person for him), consequently £343 13s. 4d. remains his due up to the time on which I have drawn on you for, and which I make no doubt you will honour on this explanation.

Employed at Norfolk Island.

Without salary.

Amount due.

1801
10 April.
Payment of
salaries.

I observe what you say respecting the moiety of my additional salary as Lieut.-Governor of Norfolk Island, and make no doubt but Capt. Townsen has got over the difficulty which I apprehend will occur with respect to his successor, Capt. Rowley, who remained in the execution of that office from the time Capt. Townsen left it, Nov. 1799, to the time of Major Foveaux's arrival, 26th July, 1800, when he took the command, to whom I make no doubt the whole salary will be given, as I was assured that I should receive the whole salary for this Government; consequently the whole of the Norfolk Island salary will be paid to Major Foveaux—indeed, both are very hard earned.

An involved
affair.

To this I have annexed such returns as may assist you in any matter of doubts respecting the civil establishment here. Another confused business which has been left by me to settle is respecting the surveyor and deputy surveyor. This business is this: Mr. Grimes, the deputy surveyor (and whose proper place is Norfolk Island), has been here these seven years past, a great part of which time, it appears, that he has done the intire duty of the Surveyor-General, who has long been incapable of doing any, or the least, duty, owing to age and failure of eyesight. Some time previous to my taking the command, Mr. Alt, the Surveyor-General, made over the half of his pay to the deputy surveyor, by a letter to Governor Hunter, but from some irregularity it appears that neither the one or the other has been paid, for want of certificates being sent to you, and that the surveyor has received no part of his salary for the last four years, in consequence of which, and the great distress he is in, I have directed the Commissary to draw on you for £91 5s., being only half of the four years' salary due. How the other part remains to be settled must be determined by the certificates now sent.

Deferred
payment.

Surveyor-
General Alt.

Since I took the command the surveyor has been reported by the surgeons unable to do his duty; in consequence I have appointed the deputy to do the duty of Surveyor-General. The latter has sent a memorial to His Majesty, and I hope something will be done for so old a servant of the Crown. But, at any event, from the period of the surveyor being incapable of his duty, the person who does it will receive the moiety of his salary.

Superinten-
dents'
wages.

With this you will receive information from Mr. Commissary Palmer of his having drawn on you for the pay of superintendents who have no agent in England up to this date. This mode of drawing for the salaries of this description of officers on the civil establishment is conformable to the direction of the Secretary of State and the Secretaries of the Treasury, and as such I suppose no difficulty can be made in making the payments by you, as you have of course received the sums long before these bills can possibly come to your hands.

I will observe that I have directed Mr. Commissary Palmer
w on you for my secretary's pay from September 20th, 1800,
I took the command, to April 2nd, 1801, when I appointed
/m. Neate Chapman to be my secretary, as appears by the
irea.*

1801

10 April.

The Govern-
nor's secre-
tary.

this conveyance I have transmitted a survey held on Mr.
y which he is invalided, and a memorial from him to the
ary of State praying for some provision.†

Laycock, who was appointed by Major Grose, Deputy
issary, in the room of Mr. T. Freeman, deceased, Novem-
h, 1794, informs me that his agent has not received his
or the whole of that period, which he naturally conceives
a claim to. I have given him as full a certificate as his
seems to require, and shall be obliged to you for your atten-
his claim. By the return you will observe that he resigned
nation as Deputy Commissary 2nd April, 1801, and that I
appointed Mr. W. N. Chapman to that office in his stead.

The Deputy
Commis-
sary.

I have, &c..

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

13th April.

13 April.

STUS ALT, Esq., Land Surveyor-in-General of this territory,
g been surveyed by the surgeons and reported incapable of
urging the functions of his office through age and other in-
ies, Charles Grimes, Esq., Land Surveyor of Norfolk Island,
ointed to act as Land Surveyor-in-General of this territory
His Majesty's pleasure is known.

Grimes to
act in Alt's
stead.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

14th April.

14 April.

reduction in the ration of salt meat will shortly take place,
sh pork or live hogs are to be sent on board any ship or
vessel except His Majesty's armed vessel Porpoise, and that
n such quantities as a permit may be given for by Captain
llar.

The ration.

PHILIP GIDLEY KING.

THE ADMIRALTY TO NAVY BOARD.

Admiral, Admiralty Office, 15th April, 1801.

15 April.

Whereas upon our referring to you a letter from Capt.
ra, commander of His Majesty's sloop Investigator, fitted for
ge of discovery, stating that the men of science who are in-
l to embark in her have not yet appear'd on board, you have

Scientists to
accompany
Flinders.

* See Government and General Order, ante, p. 339.

† Ante, p. 340, and post, p. 347.

1801 reported to us by your letter of the 2nd instant that upon your
 15 April. applying to Sir Joseph Banks, President of the Royal Society, upon
 the subject, he acquainted you that he had, under the authority of the late
 First Lord of the Admiralty, engaged certain men of science and their
 assistants to embark on board the Investigator for the purpose of examining
 the natural productions of New Holland but as the terms on which they are
 to go out have not yet been settled, or any engagement stating the nature of
 the service required of them been yet offered to them, it is improper for
 him to give any directions relative to their leaving London. And whereas
 Sir Joseph Banks has represented to us that the project which he laid
 before the late First Lord of the Admiralty, respecting the persons to
 be employed in scientific pursuits on board the Investigator, and the
 salaries proposed for them having been approved by His Lordship, he
 has only to observe in addition thereto that he is of opinion from the
 charge attending the outfit of the said persons, it will be equitable to
 pay them guineas instead of the pounds first suggested making their
 salaries consist of the following sums, viz. —

Their
salaries.

Guineas
instead of
pounds.

	Salary per annum
Mr. Robert Brown, naturalist	£420
„ Wm. Daniel,* landscape and figure draughtsman	315
„ Ferd'd Bauer, botanic draughtsman	315
„ Peter Good, gardener	105
„ John Allen, miner	105

Signing the
agreement.

We acquaint you therewith, and do hereby desire and direct you to cause the persons above mentioned to be paid the said salaries accordingly, upon their severally subscribing forthwith to an undertaking agreeably to the form herein enclosed,† and producing to you, at all periods subsequent to the date hereof, certificates from the commander of the Investigator of their conduct being in conformity with the conditions of the undertaking, which said salaries are to commence on the 10th February last, when the above mentioned persons were engaged by Sir Joseph Banks. And you are to cause them to be advanced half a year's salary each for the outfit.

We are, &c.,
 ST. VINCENT.
 T. TROUBRIDGE.
 J. MARKHAM.

THE ADMIRALTY TO ———.‡ (Banks Papers.)

Gentlemen, Admiralty Office, 15th April, 1801.

Sir Joseph Banks, President of the Royal Society, having been consulted by us on some material objects touching the

* William Daniel did not accompany Flinders; his place as landscape painter was taken by William Westall.

† Probably the form referred to was identical with that of 29th April, 1801—see p. 349-351.

‡ There is nothing to show to whom this letter was addressed—probably to the Transport Commissioners or Navy Board.

Equipment of His Majesty's sloop Investigator, intended to proceed on a voyage of discovery, has pointed out to us that the several articles specified in the enclosed list will be requisite for the said voyage, the largest portion of which are intended for presents to the natives of countries which the Investigator may visit. We signify the same for your information, and do hereby require and direct you to cause the said articles to be forthwith provided and delivered into the charge of Capt. Flinders, commander of the abovenamed sloop, who will receive our orders for their application.

Yours, &c.,

ST. VINCENT.

T. TROUBRIDGE.

J. MARKHAM.

1801

15 April.

Articles
required for
Investigator.

List of articles requisite for His Majesty's sloop Investigator, to use on her voyage of discovery, for use, presents to natives, &c. :—

A marquee complete, bell tents	...	...	3	
Canteens, containing every necessary for excursions	...	...	3	
Dust shot to kill specimens	...	...	6	bags
No. 6	...	...	6	"
No. 4	...	...	10	"
No. 2 for do. and food	...	...	12	"
No. 1	...	...	12	"
Swan shot	...	...	20	"
Small buck shot	...	...	20	"
Large do.	...	...	20	"
Buck and swan shot casters	...	...	2	pres.
Lead for casting	...	...	1,000	lb.
Axes, for presents, &c.	...	...	50	
Hatchets	...	...	300	
Small adzes	...	...	50	
Tohees, of sizes	...	...	200	
These are pieces of thin bar iron about six inches long, sharpened at one end, and turned a little at the other. They are meant to be a substitute for adzes.				Miscellaneous articles.
Hammers, of sizes	...	...	100	
Corks of nails, of sizes	...	...	4	
Cross-cut saws	...	...	5	
Pit saws	...	...	5	
Hand saws	...	...	100	
Pocket knives	...	...	500	
Shoemakers' do.	...	...	100	
Scissors, of sizes	...	...	300	pairs
Files, of sorts...	...	...	200	
Looking glasses, of sorts	...	...	500	
Coarse combs...	...	...	100	
Blue beads	...	...	50	strings
Red do.	...	...	50	"
White do.	...	...	50	"
Yellow do.	...	...	50	"
Ear-rings	...	...	100	pairs
Rings for fingers, of sizes	...	...	200	
Red gartering...	...	...	500	yards
Blue do.	...	...	500	"

1801	Red caps	...	...	...	...	...	100
	Small blankets	...	...	...	...	...	100
15 April.	Red baize, thin	...	...	...	...	...	100 yards
	Coloured linen	...	...	...	...	...	100 "
	Red thread	...	...	...	...	...	5 lb.
	Needles	...	...	...	...	...	1000
	Medals of His Majesty or some new common coin...	...	...	...	...	...	Some
	Bar iron for the purpose of making tools suitable to the taste of the Indians that may be met with, with a proportion of steel for edging them	...	...	...	...	...	500 cwt.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

Wednesday, Noon, King-street, Soho.

Mr. Flinders presents his respectful compliments to Sir Joseph Banks, and requests that if Sir Joseph Banks should find it necessary to write to him in the country, his letters may be directed to him at Mr. Flinders's, Boston, instead of Spalding.

Necessary
charts.

Mr. F. saw Mr. Dalrymple yesterday, who expressed a wish to have the order for D'Entrecasteaux and such other charts as may be deemed useful for the voyage. He also begs leave to mention that if no journals are to be sent to agents an order to me for the purpose may be necessary, and to enable the officers to pass their accounts and receive the whole of their pay regularly an order to the different offices to dispense with such journals would then be requisite. As this matter may require some discussion, Mr. F. has taken the liberty of mentioning it to Sir Joseph thus early.*

Payment to
officers.

MATTW. FLINDERS.

UNDER-SECRETARY KING TO TRANSPORT COMMISSIONERS.

16 April.

Gentlemen,

Whitehall, 16th April, 1801.

Settlers and
their
families.

As several of the persons going out as settlers to New South Wales in the *Minorca*, *Canada*, and *Nile* (whose names are transmitted to you with my letter of the 10th instant) have wives and families in very indigent circumstances, and are utterly unable to provide themselves with the necessary cloathing for the voyage, I am directed by the Duke of Portland to desire you will give instructions to Captain Patton, the agent for transports at Portsmouth, to provide forthwith for *each respective family* that shall be found, upon a strict investigation, to stand in need of such cloathing, some small articles to the value, upon *average*, of five pounds for *each family*, to be delivered to them upon their arrival at Portsmouth.

* There is no date to this letter, but at the foot, in Sir Joseph Banks's handwriting, written the date, "April 15," evidently the day on which Sir Joseph received it.

Sydney, 21st April, 1801.

21 April.

unfavourable circumstances having been represented to the
 respecting the case of John Boatsman, private soldier
 of the South Wales Corps, now under sentence of death [for A deserter.
 Ed.], His Excellency is pleased to extend mercy towards
 him a free pardon; and it is hoped that the examples
 lately been made, and the awful state in which the
 Boatsman has been in, will operate in preventing the
 dishonourable crime of desertion, which however in-
 Governor may be to extend mercy in all admissible
 he feels it a duty he owes to His Majesty's service to
 see who may so far forget their character as soldiers as
 to commit that crime, that any future sentences of a General
 martial law for desertion will be confirmed and carried into

 PHILIP GIDLEY KING.

FOR GENERAL ALT'S MEMORIAL TO HIS GRACE THE
 DUKE OF PORTLAND.

Sydney, New South Wales, 27th April, 1801.

27 April.

Memorial of Augustus Alt most respectfully sheweth:—
 the year 1755 your memorialist had the honor of being Surveyor
 ensign in the King's or 8th Regiment of Foot. Alt's
 the following year your memorialist was appointed services.
 Q'r-Master General to conduct the Hanoverian troops
 to their quarters in Canterbury, and from
 their encampment on Barham Downs, in Kent.
 the year 1758 your memorialist departed with the 8th On the coast
 to the coast of France on the expedition under the of France.
 of Admiral Hawke and General Sir John Mordaunt.
 the year 1760 the 8th Regiment was ordered to join Service in
 army in Germany, under the command of Prince Ferdi- Germany.
 where your Grace's memorialist remained as *aide-de-camp*

1801 That in the year 1777 your Grace's memorialist assisted raising the Manchester Volunteers, and marched with them the siege of Gibraltar, where the honor of being an assistant engineer was conferred on him by Governor Elliott.

27 April.
At Gibraltar

That in the year 1781 your memorialist went with Colonel F. Erskine to assist in raising three battalions of Swiss Chasseurs for the East India Service.

and the East.

That in the year 1785 your memorialist was about to embark for the Island of Madagascar, as engineer, with Colonel Erskine, to join Count Bonisky, but, unfortunately, news arriving a few days before the ship was to sail, a stop was put to the expedition.

Surveyor-General of Lands.

That in the year 1787 your Grace's memorialist had the honor of being appointed Land Surveyor-General to His Majesty's colony of New South Wales, under the command of Governor Arthur Philip, to whom, as to several subsequent Commanders-in-Chief, he flatters himself he has given satisfaction in the discharge of his official duty.

Incapacitated by old age.

That from the period of April, 1797, in consequence of your memorialist's eyes failing him (owing to his advanced age of 67 years) he has not been enabled to act officially in that station, and, moreover, had the misfortune to have his house burnt to the ground and his effects wholly consumed by the natives (without the possibility of any assistance being given) at a time when he was doing his duty on a Court of Vice-Admiralty, held in the town of Sydney, at a distance of 7 miles.

Alt submits his case to the Duke.

May it therefore please your Grace, in consideration of the past services of your memorialist, as well as his severe misfortunes, to make such a representation of the circumstances of his case to His Most Gracious Majesty as may induce him to bestow on your memorialist such mark of His Majesty's Royal favor as may render comfortable the few remaining years he can expect the Supreme Being to add to a life chequered with vicissitudes and oppressed with unmerited calamities.

And, in gratitude bound, your Grace's memorialist will ever fervently pray, &c., &c.

AUGUSTUS ALT.

FLINDERS'S VOYAGE IN THE INVESTIGATOR.* (Banks Papers.)

April.

28th April, 1801.

Banks and the Investigator.

Is my proposal for an alteration in the undertaking in the Investigator approved.

J.R.

ANY proposal you may make will be approved. The whole is left entirely to your decision.

* This memo. by Sir Joseph Banks is written on half a sheet of note-paper. The hand writing and initials are those of Sir Joseph, and the reply at the foot thereof is in different hand, closely resembling that of Evan Nepean, Secretary to the Admiralty. It is evident, from the original papers which have been preserved, that the British Government left the entire equipment and arrangement of Flinders's expedition in the hands of Sir

[Facsimile-memo by Sir Joseph Banks]

April 20 1727

is my proposal for alteration
in the order of the in the investigation
approved

J.B.

My proposal for my mother's
approval. The whole is left entirely to
your discretion.

: JOSEPH BANKS TO —————. (Banks Papers.) 1801

dear Sir, 28th April, 1801. 28 April.

The alteration I propose in the undertaking of the scientific ho are to be employed in the Investigator is relative to the The owner-ship of artists' sketches.
as the draughtsmen may make during the voyage. In my
1 draught I proposed "that all such sketches without
on should be the property of the public." This was
d to, I think, with reason, and it was suggested that many
s, especially slight ones, would be made in the progress of
iness, of no importance to the public, though of great value
draughtsmen for the cultivation of their own talents.
opose, therefore, to substitute that all such drawings as An altera-
e finished during the voyage, and all such sketches as their tion.
ips shall order to be finished after the return of the ship
gland, shall be considered as the property of the public.
aves all such sketches as their Lordships shall not think of
nough to deserve finishing on the public account to the
l of the draughtsman, but secures all such things as their
ips shall finally approve to the disposal of the Board.*

INSTRUCTIONS TO SCIENTIFIC EXPLORERS.

29th April, 1801. 29 April.

ler to prevent all misunderstanding between the Lords Scientists
issioners for executing the office of Lord High Admiral on the In-
United Kingdom, and the persons employ'd by their Lord- vestigator.
as scientific assistants on board His Majesty's ship the
igator, for the purpose of exploring the country of New
d, their Lordships have been pleased to issue the following
tions and commands, to be obey'd by all persons so em-
; and it is expected that every person so employ'd do sign
ne to the same in testimony of his acquiescence in the terms
ch their Lordships are pleas'd to employ him.

Their Lordships require every person employ'd as a Obedience to
fic assistant on board the Investigator to render voluntary commander.
nce to the commander of the ship in all orders he shall from
time issue for the direction of the conduct of his crew, or
part thereof.

Their Lordships require that all persons so employ'd do Co-opera-
occasions conduct themselves peaceably, quietly, and civilly tion.

make. He decided what instruments, stores, and weapons should be carried; and applications from volunteers of every description anxious to take part in the s; and to him the Government entrusted everything, from the appointment of the s to the stowing of the hold. After Flinders's release from his long imprisonment of France, the duty of supervising the publication of his journal, and fixing the f remuneration to be paid to Westall and the other artists engaged in illustrating was also left in the hands of Sir Joseph Banks. A fac-simile of the memo. is given, as a rough draft in the handwriting of Sir Joseph Banks; it is unsigned, and there s to show to whom it was addressed. Most likely, however, it was sent to the of the Admiralty, with a draft of the instructions to scientists which follow it.

- 1801** to each other, each readily assisting the other in his respective
29 April. department, to the utmost of his ability, in such manner as will
 best promote the success of the public service in which they are
 jointly engag'd, and unite their individual endeavour into one
 general result.
- The draughts-** 3rd. Their Lordships require the draughtsman employ'd for
men. natural history to pay due attention to the directions he shall
 receive from the naturalist; and the draughtsman employ'd for
 landscape and figures, to pay regard to the opinion of the com-
 mander in the choice of objects most fitting to be delineated; and
 their Lordships moreover require the gardener and the miner to
 pay obedience to the naturalist in all such orders as he shall think
 fit to give them.
- Journals and** 4th. Their Lordships consider the salary allotted to each person
drawings. employed as a full compensation for the whole of his time. They
 expect, therefore, that all journals, remarks, memorandums, draw-
 ings, scetches, collections of natural history, and habits, arms,
 utensils, armaments, &c., of every kind be delivered up on the
 return of the ship to such persons as their Lordships shall direct
 to receive them.
- Narrative of** 5th. In order, however, to encourage the persons engag'd in
the voyage this undertaking to exert themselves to the utmost in accomplish-
 ing the object of their mission, their Lordships hereby declare,
 that if the information collected during the voyage is deem'd of
 sufficient importance, it is their Lordships intention to cause it to
 be published in the form of a narrative, drawn up by the Com-
 mander on a plan similar to that pursued in the publication of
 Capt. Cooke's voyage, and to give such pecuniary assistance as
 their Lordships shall see fitting for the engraving of charts, plans,
 views, figures, &c., and that in such case the most interesting
 observations of natural histroy, and the most remarkable views of
 land and delineations of people, &c., will be inserted therein.
- to be** 6th. Their Lordships moreover declare that in case the persons
published employ'd in this undertaking as scientific assistants are industrious
by Govern- in their several departments, civil and obliging to each other,
ment. and co-operate together on all occasions in making the general
 work in which they are jointly engaged compleat, by assisting each
 other and uniting their efforts for the advantage of the public, it
 is intended that the profit deriv'd from the sale of the said pub-
 lication shall be divided between the commander and the assis-
 tants, in proportion to the good conduct each shall have held
 during the voyage, and the comparative advantage the publication
 shall in the opinion of their Lordships derive from the labor of
 each individual.
- Distribution** 7th. Their Lordships, moreover, declare that after such descrip-
of profits. tions, drawings, and sketches as shall be found necessary for the
 illustration and embellishment of the intended publication, shall
- Utilitation**
of sketches,
&c.

have been selected by such persons as their Lordships shall be pleas'd to appoint, and such specimens of natural history, arms, implements, habits, ornaments, &c., as their Lordships think fitting shall have been applied to such purposes as their Lordships shall approve, the remainder of the descriptions of plants and of animals, &c., and the scetches of all kinds, shall be at the disposal of the persons who have made them, for the purpose of being publish'd by them whenever it is thought proper, at their own risque and for their own advantage: Provided, however, that all such drawings as shall be finish'd during the voyage, and such scetches as their Lordships shall order to be finish'd after the return of the ship, shall be consider'd as the property of the public, and lodg'd in the depôt of the Admiralty when required so to be, and that the remainder of the collections of natural history, arms, habits, implements, ornaments, &c., shall be at the disposal of the persons who have collected them. All this, however, on condition that each person shall, during the voyage, have behaved himself with propriety to the rest, their Lordships reserving to themselves the power of punishing all deviations from good humor and perfect harmony among the parties, by withholding from the persons offending such parts of the benefits above described as they shall think proper.

1801
29 April.

Final
disposal of
sketches, &c.

We the undersigned, Robert Brown, naturalist; William Westall, landscape and figure draughtsman; Ferdinand Bauer, botanic draughtsman; Peter Good, gardener; and John Allen, miner, in testimony of our concurrence in the above terms, and as a pledge for our obedience to all such instructions and commands as their Lordships shall be pleas'd to issue to us during the time we shall be in their Lordships employ, have sign'd our names to this engagement on the 29th day of April, in the year of our Lord, 1801.*

Agreement
of scientists.

ROBERT BROWN.
FERDINAND BAUER.
WILLIAM WESTALL.
PETER GOOD.
JOHN ALLEN.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

Sir Joseph, H.M.S. Investigator, Nore, 29th April, 1801.

Considering that some time might be saved by getting our guns shifted immediately I yesterday wrote a letter to the Admiralty concerning them, of which the following is a copy:—
“Evan Nepean, Esq., Admiralty Office, London,—

The Investi-
gator's ar-
mament.

“Sir,—Understanding that a passport is to be obtained for His Majesty's sloop under my command, and that it is now daily

* Appended to this undertaking (parts of which are in the handwriting of Sir Joseph Banks, by whom it was apparently drawn up,) occurs the following memo. also in Sir Joseph's hand:—“I delivered this undertaking, signed by all the parties and witnessed by myself, to Mr. Nepean, August 21, 1801. He told him he should send it to the Navy office.”

1801 expected, I beg leave to represent that the number of guns on
 29 April. board her are more than will be requisite to combat with the
 Indians with whom we may expect to meet in the voyage for
 which the Investigator has been fitted; and, also, that their
 number and weight prevent her from carrying the quantity of
 The water present use water which is requisite to a long passage and to the
 supply. health of the company. The advanced state of the season for
 sailing making it requisite that as little time as possible should
 be lost, I am induced to make the representation thus early,
 and having the approbation of the Right Hon'ble Sir Joseph
 Banks upon the subject, I have to request that their Lordships
 Changes suggested in will be pleased to order that ten of the twelve long six-pounder
 ordinance. guns—~~in addition to two eighteen-pound carronades now on board~~
 may be taken out of her, and that in lieu she may be supplied
 with six twelve-pound carronades and two more swivels, which
 guns—in addition to two eighteen-pound carronades now on board
 and the two remaining long sixes—I consider to be sufficient to
 repel the attack of any Indians with whom we are likely to meet
 “As a part of the service in which we may expect to be engaged
 will probably be in rivers, whose directions may lie east and
 west, or nearly so, and where, consequently, a timekeeper
 A chrono- convenient for taking into boats or small vessels will be of the
 meter neces- greatest service for ascertaining their extent, I beg leave to
 sary. request that a pocket timepiece of Arnold or Earnshaw may be
 ordered for me, no timekeeper of this description being furnished
 to the astronomer by the Board of Longitude.

“I am, &c.”

Charts not When in town I applied at the hydrographical room for the
 yet supplied. copies of the charts there, which are all done; but the order for
 them being not then given I was unable to bring them down
 with me, which would have been the safest plan. I thought to
 have mentioned this in my letter, but as you, Sir Joseph, were
 kind enough to say you would settle it, it becomes probable, if
 you have met Mr. Nepean, that it is already done.

The Concerning our examinations of the north-eastern coast of
 Endeavour New Holland, I would beg leave to suggest to you, Sir Joseph,
 survey. that in those parts where the Endeavour kept along the coast,
 and where a continued line is laid down, it may be a more useful
 The Barrier research for the Investigator to coast without side of the reefs,
 Reef. and ascertain their extent from the coast, rather than to follow
 the track of Captain Cook; but in that space where no coast
 was seen by him it would be proper to come in upon it through
 the reefs.

The prevail- The prevailing winds in the winter time, and perhaps the
 ing winds. greater parts of the year, being from the eastward, on the northern
 coasts of New Holland, the circumnavigation of the island will
 be very much more expeditiously performed from east to west

than the contrary, and more especially as from the South-West Cape the wind will be mostly westerly, which will be fair for running along the south coast and completing anything that may not have been fully investigated in the two visits which are to take place previous to the circumnavigation.

1801

29 April.

As particular circumstances may make it necessary to sail round the island twice, I beg leave to mention the propriety of leaving me at liberty to do this. My greatest ambition is to make such a minute investigation of this extensive and very interesting country that no person shall have occasion to come after me to make further discoveries.

An exhaustive survey.

I ought to apologise for thus offering my sentiments to you, Sir Joseph, and I am indeed afraid you will think them impertinent; but on consideration I trust you will impute it to my anxiety for the complete success of the Investigator, and that you will believe me to be, with the greatest respect and esteem,
Yours, &c.,

MATTW. FLINDERS.

GOVERNOR KING TO SIR JOSEPH BANKS. (Banks Papers.)

Dear Sir,

Sydney, April, 1801.*

— April.

I received your obliging letter of the 7th last August,† and am highly gratified to hear of your good state of health, and much obliged to your kind remembrance. By the Buffalo and two other conveyances I wrote you, all of which I hope have reached you. They will inform you of my arrival here and of Governor Hunter's departure six months after my arrival, since when I have been involved in a mass of difficulty, opposition, and every discouragement to get matters at all out of the confusion in which they have been so involved; and if I have not completed everything expected, I hope I have begun to work upon a new foundation—new, I say, because everything was to be changed, and you will have no difficulty in forming an idea how disagreeable the measure was to all whose interest was so closely attached. I should enter into a minute detail, but that I hope you will hear that from other quarters, and that you have and will see my despatches; but I shall not presume to give any general account of the colony until I have been a year in command, and that the yearly accounts are made up, when I shall run the risk of referring you to them. You know I arrived here in April, and did not take the command till last September.

King's difficulties.

System to be changed de novo.

In my former letter I informed you of the Lady Nelson having passed through the straits on her passage here from the Cape, and arrived last November. Since that two other small vessels have

The Lady Nelson and Bass Strait.

* Apparently, King commenced to write this letter to Banks in April, 1801; but it is evident, from the date at the end, "August 21, 1801," in King's handwriting, that he did not finish it at that time. Sir Joseph Banks noted the date of receipt "20th March, 1802."

† This letter from Sir Joseph Banks to Governor King is missing.

1801 passed through from the westward, and have made some further discoveries, all which I have had copied and send you the chart with my remarks, but I would not wish to have it published yet until more perfect, for the reasons I shall give you hereafter and the remarks on the chart.

A valuable discovery.

Short route to the Cape or India.

How demonstrated.

A port of refuge.

The Colonial navy.

The Lady Nelson's voyage to Bass Strait.

The discovery of these straits is most certainly a great acquisition to this colony, inasmuch as they are as safe as commodious in point of a good harbor being found in Western Port. Still I do not think that this passage to the westward can be attempted with any prospect of succeeding in the winter months, i.e., from May to September; but from September, during the summer months, I think there is a great probability of vessels making a short voyage to the Cape of Good Hope or India, when they have a chance of easterly winds to get through, after which they are likely to meet with northerly winds. As I do not hazard this latter idea without proof, I must here mention that by the master of the Ocean, South Sea whaler, who cruised from November to March on the S.W. coast, I am informed that he had ten gales at N.E. for one at S.W., which must greatly facilitate a ship's passage either to the Cape or India, until she gets within the trades. In the winter the passage to the westward is not so certain, from the prevalence of westerly winds at that season which throws a very great sea into the straits. I do not pronounce the passage through the straits impossible at that season. It may be performed with some perseverance and hard labour, and may be more easily accomplished now that we are certain Western Port is a good harbor in case of a vessel being taken with a westerly wind before she gets through, exclusive of which there is every probability that the island which the discoverer has done me the honor to name after me will be found to afford some if not good shelter.*

You will also be informed by my previous letters that Governor Hunter sent the Reliance home and took the Buffalo with him: consequently no vessel remained here until the Porpoise arrived in November and the Lady Nelson in December last. Fresh work was cut out for the Porpoise in carrying the relief to Norfolk Island, and the Lady Nelson required much re-equipment before I could despatch her, which could not be completed before 5th March. The orders† I gave her commander was to ascertain the anchoring-places in Kent's Group; to fix the exact situation of the islands lying off to the S.E. of Wilson's Promontory; to examine if Western Port was a place of safety for a ship; to examine a deep inlet or bay named by him after me (although I have pretty good authority for supposing that it is only a deep bay)†; and then

* King's Island, discovered by the master of the Harbinger.

† This was the bight lying between Cape Otway and Wilson's Promontory, in which Bass Phillip and Western Port are situated. Ante, p. 306 (note).

‡ Ante, p. 305.

to examine the island lying at the west entrance of the straits ;
 after which, if the weather would admit of it, to explore as much
 of the S.W. coast as he could. The constant heavy gales of wind
 had at S.W. and west prevented him from prosecuting his dis-
 coveries further than ascertaining the survey of Western Port
 and connecting it with Wilson's Promontory, which was done,
 and, indeed, is as much as I expected at this season of the year ;
 nor should I have sent him out before September next but that
 he did not like the idea of his lying idle so long, and as it is he
 has fixed the existence of a safe and commodious harbor for vessels
 of any kind, which is a great thing for him to prove in his next
 cruise.

1801

— April.

Unfavour-
able
weather.The results
achieved.

I made Cayley an offer of going in the Lady Nelson, which he
 agreed to do. How far he has been successful in collecting I do
 not know, as he keeps his counsel to himself ; however, I hope
 you will have every reason to be satisfied with his returns. He
 no doubt will write by the conveyance this goes by. The articles
 of Lieut. Grant and the other gentlemen who went in that
 vessel collected I have sent by this conveyance, which I shall
 more particularly state and enumerate at the end of this letter.
 As soon as the Lady Nelson is refitted (which I hope will be about
 the middle of June), I shall send her to examine the Coal River,
 between this and Port Stephens, and as Colonel Paterson has
 offered to go in her, I hope we shall gain a perfect knowledge of
 that article and the facility of getting it.* A vessel belonging to
 an individual is now there loading with coal and cedar, and as the
 master of her is very intelligent I hope to get much information
 from him. Nor am I idle respecting the straits even at this time
 of the year. Previous to Governor Hunter's departure applica-
 tion was made to me by some enterprising people here for leave to
 catch seals on and about Furneaux's Islands, which was granted.
 When the Lady Nelson arrived here her crew and officers were
 discharged owing to their engagement in England, and among
 them was one of the mates, a very intelligent young man, who
 associated himself with these people and commanded their vessel.
 He returned here about a fortnight before the Lady Nelson's
 return, and sailed again from hence the day before her return.

Caley's
researches.The
scientist's
collections.Hunter
River.The sealing
industry.

As this young man was a very intelligent and observing young
 man, and on examining his log-book I found he had made many
 delicious observations, but was particularly struck with his observa-
 tions respecting Kent's Group, which is so opposite to my friend
 Bass's, that I enclose both the one and the other, not with a
 view of pointing out any premature judgment of Mr. Bass, as the
 vessel he was in only ran through the passage, and they did not
 land on the islands ; but how to reconcile the idea of such numbers
 of kangaroos being on such an isolated spot is to me unwarrant-
 able, and seemed so very improbable that I have engaged this young

Kent's
Group.Bass's
observations
thereon.

* See the reports of this expedition, post, pp. 404 et seq.

- 1801** man to make all the observations he can in the course of his present voyage, and have persuaded a Mr. Lewin, who I believe you have heard of, to accompany him ; and as their object is to try about for seals, of course discovery and investigation will be only a secondary object with them, still I am pretty certain the young man will not be idle or inattentive to promote my wishes. It is my intention to despatch the Lady Nelson (to complete the orders he first sailed with, which I have before stated) about the latter end of September, when he will have all the summer before him, and I make no doubt will do a great deal. I also hope it will be in my power to spare a small vessel of her own size to go with her, which will make up for a very great defect in the Lady Nelson, which is the utter impossibility of her ever being able to beat off a lee shore, which her commander, Lieut. Grant, and those who are with him assure me she never can do, but is in every other respect a good seaboard, and admirably calculated for the service she is employed on. Mr. Grant has much credit in bringing her out, and on her last cruise ; he is neither surveyor or [illegible], but is studying both, and to make up for that deficiency I sent an ensign in the N.S.W. Corvée (Barallier, the *protégé* of Mr. Greville), a very clever young man, with him, who you will observe has very accurately performed the surveying part. Cayley, as far as I can understand, has given up all ideas of returning to the charge. He complains of the paucity of plants, &c. However, whether he goes or not, I shall charge those who do go to collect everything they fall in with, and, rubbish or not, I shall transmit them to you. I must not omit saying that Cayley behaved extremely well, and is much regarded by Lieut. Grant, to whom, with Mr. Barallier, I am indebted for the few articles I send. As they all complain of Cayley's receiving everything they found, but would never give them up, nor part with a duplicate, I presume therefore you are sure of getting all he has collected.
- Employment of the Porpoise. Respecting the Porpoise, I have had a great desire to keep her usefully employed, which she has been. Since her arrival in November last she has been twice to Norfolk Island, and sailed the 21st May for Otaheite and the islands in the neighborhood in quest of a cargo of salt pork. This service I have had in contemplation for her ever since her arrival ; but the want of salt was a powerful objection. This I hoped to remove by evaporating sea-water and boiling into salt, in which we were making so considerable a progress that I had hopes of getting a sufficiency before the end of June. But, as if Providence favoured my designs, a whaler came in loaded with salt from the Cape, intended for curing seals, which plan the master had given up. As he offered his salt for sale, I bought it, and immediately despatched the Porpoise to the islands with a part of it and such articles as I could collect for traffic, and a proportion to Norfolk Island, from which place I hope we shall
- Another opinion to be obtained.
- A tender for the Lady Nelson.
- Grant as a seaman.
- Ensign Barrallier.
- A thorough collection.
- Manu-
facture of salt.
- A cargo of salt bought.

soon obtain considerable supplies ; nor am I at all afraid of succeeding now and hereafter at the Society Islands. To give you an idea of this, I must inform you that soon after my arrival here a whaler was going there for provisions. By that vessel I wrote a letter to Pomaree, chief of the district of Matavye, and I believe of all the islands, recommending the missionaries established there to his protection, and accompanied it with a trifling present. In return I received a very handsome dress and a war-dress, with various other articles, accompanied with a letter, * assuring me of his love for King George, and that he would protect his subjects as long as he lived, but complained of a refractory spirit among his subjects, and praying that some firearms might be sent him. As our correspondence was carried on through the missionaries, they informed me of Pomaree's kindness to them, and of the articles which were in request among them. This decided me on trying the experiment, which, if it only procures a sufficiency of salt meat for the use of the ship, is better than letting her lie idle to look at. If it succeeds, as I expect it will, its utility to this colony and saving to the public in the article of salt meat will be very great, as that supply must be procured from some quarter or other for a long time, as our cattle are far from being equal to a present resource, nor would it be long before that resource, if used, would be exhausted, which would at one stroke undo all the expense that has been laid out to get our present stock together ; but, if left for a few years, its increase will be nearly equal to maintaining the inhabitants.

In my last, dated in March, I informed you of the great losses we had met with from the badness of the weather and the floods that had happened at the Hawkesbury. Since then two other floods have taken place, which has taken away the remains of the settlers' wheat and corn, so that our means of making out the year are much reduced. The indigence and ruin that all the settlers in this colony are involved in from the infamous practices carried on here has been such a death wound to every species of cultivation and improvement that it will be some time before it recovers. You will hardly believe it when I assure you that out of 300 settlers of all descriptions upwards of 150 have assigned over their all to the vultures with which the colony has and does still abound, altho' a great number of them have been obliged *volens volens* to retire from business. Since my arrival here and taking the command I have been enabled by dint of patience to bring prices into some reasonable bounds, the consequence of which has been that the settlers can purchase what they want at the first hand, that is to say, from the master of the ship, without paying 3 or 400 per cent. to the retailers and dealers ; and such has been the immense quantity of things brought to this colony that almost every European article can be purchased for nearly the prime cost in England.

1801

— April.

King
Pomaree.His present
to Governor
King.Salt meat
from
Otaheite.The live
stock.The Hawkes-
bury floods.Indigent
settlers.Bankrupts
and
monopolists.King's
remedial
measures.

1801	The unrestrained manner in which spirits have been allowed to
— April.	be brought into the colony, it would seem, has operated very
Importation of spirits.	generally throughout the world in encouraging every adventurer that comes here to bring as great a quantity as possible. However, the very discouraging restrictions I have put on that infamous traffic will, I have no doubt, completely strike at the root of that evil in another year. Government, at my suggestion, has prevented any being sent from India.
India tabooed.	Every ship taken up to bring provisions or stores out from England takes a quantity of English articles as a private invest- ment. What they can smuggle at Rio Janeiro they get spirits for at a trifling price and bring to this colony; and if they do not touch at the Brazils, they take care to bring plenty of Cape brandy. To check this, I have written to the Transport Board and Secretary of State, to request that these ships may be restricted from bringing more than 500 galls. each by their charter-party; and if attention is paid to my request this source will soon fail.
Illegal traffic.	Another channel through which a quantity is brought is by American vessels on their way to China. Two ships have arrived from that quarter since I took the command, one of which, with an immense investment, cleared out from Providence for this place with 13,000 gallons of New England rum. I positively refused permission to sell a drop, and took such measures as to prevent any being smuggled, which occasioned him to go away in great dudgeon. Another has arrived here very lately from Phila- delphia, with an investment comprising every necessary article, and upwards of 9,000 gallons of spirits, most of which he also has been obliged to take away; and to stop this source also I have written to the American Minister in London (through the Secre- tary of State),* desiring him to inform the American merchants that spirits are totally prohibited in this colony, which I have no doubt will have the desired effect. This colony has been destroyed by the wonderful seas of spirits that have flowed into it. Its salvation will depend on its being totally done away. It has been the medium of labour, traffic, and injustice.
A fixed quantity.	As the whale-fishery has succeeded so well on this coast, I hope the present plan will be persevered in—that of allowing those ships to bring articles out for sale, and the price to be regulated by the Governor. This has been the case with two whalers that arrived lately. They had very well assorted investments for general use; <i>not a drop of spirits</i> , but a quantity of porter. These articles, agreeable to my instructions, were divided among all classes. Everyone got their share at 61 per cent. above the prime cost in England, which has created such a confidence among those who have formerly been so much oppressed that I do not doubt they will see the advantage of rousing their industry afresh, to enable them to profit by these fair and equitable distributions.
Rum from America	
not allowed to be landed.	
Total prohibition	
the colony's salvation.	
Whalers' cargoes.	

* See this letter, ante, p. 296.

As this is a time of crisis between violent oppression and common justice, I hope and trust the latter will ultimately prevail. Still, 1801
— April.
have many secret opponents to get the better of.

Paterson, with his party, returned here after a six weeks' absence. As he will give you his idea of the place I shall say nothing on that head; but from his letters to me I made the miner had at work here leave off, and have established a small port at the river. It is a great misfortune that the entrance to this river is so very bad, and such little depth of water. However, with all its ailings, I have no doubt of its turning out a great acquisition for many purposes, exclusive of the coals, of which I have sent you a small sample. When the miner I engaged to bore for coals here left off he had got down ninety-eight feet with the boring-rods. Although he had no present assurance of coming to coal, yet he was anxious to proceed. This I could not consent to, as it required much assistant labour, and coals being found so very plentiful, although farther off, I have for the present given up the boring. The first cargo of coals brought from the Coal River in a Government vessel I exchanged with the master of the Cornwallis, who goes to Bengal from hence for iron, which he gave at 30 per cent. profit for our coals at two pounds five shillings per chaldron. I believe this is the first return ever made from New South Wales. How many chaldron he will take from hence I cannot ascertain until he leaves this, as he has got several small vessels belonging to individuals bringing them round; and as such a produce ought not to be without some advantage to the Crown, I have regulated the export of that article, as expressed in the inclosed printed notice. Whatever may arise from this branch of our revenue will remain unappropriated until I receive commands thereon. However, I believe our exports will be small, except such ships as bring convicts out may choose to carry them on to India, as our Colonial vessel—that is, the Porpoise—I hope will be fully employed between this and Otaheite in procuring pork. There is a brig belonging to an individual here loading for the Cape, but as my instructions prohibit any vessel being kept here belonging to the colonists, she goes with my certificate and permission to sell her as a prize. Revenue derived from coal.

Our two Frenchmen are going on very busily in making a vineyard, as nothing of that kind has ever been attempted before, except for the purpose of eating as fruit. As but little can be expected from the old stalks, it will be some time—at least two years—before any quantity can be procured from the new plantation, which I do not doubt will answer extremely well. It will require much time and patience to make individuals enter into any other pursuit than raising what is purchased by Government to purchase spirits, &c. However, as the article of spirits is nearly at its extreme, I have no doubt of their beginning soon to turn their industry into other channels, particularly from the confidence that
Brighter outlook.

Hunter River.

Boring for coal at Sydney.

The first export.

Revenue derived from coal.

Viticulture.

Brighter outlook.

1801 is generally evinced by all but the traders at the very reasonable rate with which they are now furnished the articles of use and comfort. This, I hope, will raise a new industry. Indeed, it appears already.

The hop plant.

Horticulture.

A fabrication.

Churches.

What a happy thing it would have been for this colony if the exertions made by you to give us the hop had not failed by the misfortunes and detention of the old Porpoise. I have just planted out all the remains of the useful collection you caused to be made, and sorry you will be to hear that it consists of only two apple five vines, two sweet bays, two chestnuts, mint, and the Chinese strawberry—this is the sum total. Will you, sir, be tempted to make another trial to send the hop? If you do, for God's sake do not trust the surveyor of timber and bolts with the secret. The sublimity of his art has not only prevented us from being thinking about beer, but has also made a poor—very poor—man. While I am on this subject, I see by the papers of October last that hops are so plentiful in this colony that one of the clergymen has great plantations of them, and that the finest porter is made here. However, this, among many other falsehoods, should get into the papers to me astonishing, unless some persons in the colony gave themselves the trouble of procuring the inserting of these glaring untruths for sinister ends. The truth is that nothing like the English hops exists in this colony, nor have we an elegant stone church built at Sydney which the same paper speaks of. One of brick and stone will be finished in the course of the year at Parramatta, and the foundation of one at Sydney has just begun. I send you by the Albion the articles as p. list inclosed, and if they are not worth your notice I beg you to remember that I am not a botanist or naturalist, but a humble collector. I should hope that circumstances will enable you to see my despatches, to which I beg to refer you.

Yours, &c.,

21 August, 1801.

PHILIP GIDLEY KING.

[Enclosure.]

BIRD-SKINS sent to Sir J. Banks by the Albion, whaler, from Governor King.

Natural history specimens.

SHELL drake, from Western Port; musk duck, Hunter's River; whistling ducks, Hunter's River; widgeon, Hunter's River; sandpiper, Western Port; godwits, Hunter's River; two herons, Hunter's River; tern, Hunter's River; sparrow hawk, Hunter's River; cuckoo, Hunter's River; pigeon, Hunter's River; red-headed cockatoo, Western Port.

THE ADMIRALTY TO GOVERNOR KING.

Sir,

Admiralty Office, April, 1801

The Lady Nelson as a tender.

It having been judged expedient that the Lady Nelson should be employed as a tender under the orders of Captain Flinders, of His Majesty's sloop Investigator, during such time

he may be employed in making the survey of the coast of New South Wales, I have it in command from my Lords Commissioners of the Admiralty to signify their direction to you to order Lieut. James Grant, who at present commands the Lady Nelson, to follow any orders he may receive from Captain Flinders during the time he may be employed as above-mentioned.*

1801

— April.

I have it further in command from their Lordships to signify their direction to you to give Captain Flinders every information and assistance which may be in your power, to enable him to carry on the said survey, and not to employ him, or the Investigator, on any other service than that pointed out in the instructions which he has received from their Lordships.

Flinders to be assisted.

I have, &c.,

EVAN NEPEAN.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord,

1st May, 1801.

1 May.

The Colonial schooner† now being so very weak that it is not safe to send her to Norfolk Island, and the Porpoise being wanted for more distant voyages, together with the employment of Colonial vessels being greatly increased by the necessity of having a small vessel to accompany the Lady Nelson in her surveys, and as the master of a brig,‡ which arrived not long ago from the Cape, was compelled to offer her for sale, and as she could not be purchased by any of the inhabitants, consistent with His Majesty's instructions, and a vessel of that kind being much wanted to go between this and Norfolk Island to carry supplies and bring salt pork from thence, I directed a survey to be taken of that vessel, a copy of which I enclose,§ also an inventory of her masts, rigging, and furniture. The sum demanded by the proprietor was £1,500. The offer I made him was £700, which, although much less than her real value, was the utmost I considered myself at liberty to offer, and to which he thought proper to agree, after one week's hesitation; and as that vessel is coppered and fit for sea, I directed the Commissary to make the payment agreeable to the enclosed order, and for which I have the honor to enclose a set of vouchers.|| The purchase of this vessel and the

The Colonial fleet.

Purchasing a vessel.

The price.

* Lieut. Grant had returned to England when this letter reached Sydney. Lieut. John Murray was, however, ordered by King to accompany Flinders in the Lady Nelson. The two vessels kept company till well within the Barrier Reef, at which point Flinders, fearful of delay caused by the unweatherly qualities of the Lady Nelson, and her want of repair, ordered her to return to Sydney, and finished the circumnavigation of the continent in the Investigator.

† The Francis.

‡ The vessel's name was the Harbinger, of 56 tons. She was rechristened the "Norfolk." The old Norfolk, in which Flinders and Bass circumnavigated Van Diemen's Land, was seized by convicts in November, 1800—ante, pp. 254, 324, and note.

§ This enclosure is missing.

|| These vouchers are not available.

1801 mode of payment, not being made by bills, I hope will meet your
1 May. Grace's approbation, as she will supply the place of another King's
 The vessel sent to Norfolk Island. ship for the present at a hundredth part less expence to the Crown.
 She is now gone to Norfolk Island for the salt meat that has been
 so long remaining in the stores on that island, and will be kept
 actively employed, and in a profitable manner, for the service of the
 colony. As some expence will attend our present Colonial vessels.
 I enclose a list* containing every particular of these vessels for
 your Grace's information, which I hope will be approved.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

1st May, 1801.

Super-
intendents.

SIMON LUDDIT is appointed Superintendant in the room of Th^{OR}.
 Collier, discharged for disobedience of orders and other improper
 conduct.

The delivery of certificates to those whose terms of transporta-
 tion are expired is postponed to the last Friday in June.

Natives
killing
sheep.

From the wanton manner in which a large body of natives,
 resident about Parramatta, George's River, and Prospect Hill,
 have attacked and killed some of Government sheep, and their
 violent threat of murdering all the white men they meet, which
 they put into execution by murdering Daniel Conroy, stock-
 keeper, in a most savage and inhumane manner, and severely
 wounding Smith, settler; and as it is impossible to foresee to what
 extent their present hostile menaces may be carried, both with
 respect to the defenceless settlers and the stock, the Governor
 has directed that this as well as all other bodies of natives in the
 above district to be driven back from the settlers' habitations by
 firing at them. But this order does not extend to the natives in
 any other district; nor is any native to be molested in any part
 of the harbour, at Sydney, or on the road leading to Parramatta.

Natives to be
fired upon.

A breach of
Orders.

Two convicts going in a boat on board the American that
 arrived yesterday, in disobedience of the General Order of the
 1st October last,† forbidding any person whatever to have any
 communication with vessels arriving here until the admission flag
 is hoisted, are sentenced to three months' imprisonment in the
 gaol gang, and their boat confiscated.

PHILIP GIDLEY KING.

* The information contained in this list is practically identical with that contained in the
 tabular statement under date 30th June, 1801, post, p. 475.

† Ante, p. 220.

GOVERNOR KING TO COMMISSARY PALMER. (King Papers.)

1801

6th May, 1801.

6 May.

It appearing by your last week's return that not more than sixteen weeks' salt meat, at a full ration, remained in His Majesty's stores, for those necessarily victualled, and as it will soon be necessary to reduce the full ration to make it last until further supplies may arrive, and to prevent the destructive consequence of having recourse to the breeding and labouring stock, which have been procured at so great expence, and is doing so well, and as not more than three tons of iron now remains in the stores to carry on the highly useful and necessary works there are in hand for the public use, and the artificers being in want of the most indispensable tools, such as hand-saws and files, and as a quantity of these articles are brought here for sale by the American ship Missouri, you will therefore make the most reasonable terms you can for the purchase of a proportion of these articles* for the public use, delivering me a statement thereof before you conclude the bargain.

Rations diminishing.

Scarcity of iron.

Supplies purchased from American ships.

For which this shall be your order.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

8th May, 1801.

8 May.

THERE not being any more than sixteen weeks' salt provisions in the stores, and owing to the failure of part of the wheat last year, and the inundations at the Hawkesbury having destroyed a great quantity of that grain as well as maize, and there being reason to apprehend a scarcity of grain at the end of the year, in order to guard against which, and against accidents happening to supplies of salt provisions coming hither, the following reduction of the weekly ration of salt meat, and alteration in that of grain, will take place till further orders, viz:—

Store of salt provisions.

Reduction of ration.

Beef	5 lb.
Pork	2 lb. 10 oz.
Wheat	6 lb. 3 oz., or
Maize	13½ lb., or 18½ in cob.
Sugar	6 oz.

Women and children in proportion.

There will be a necessity for reducing the allowance of grain in the course of next month.

On this occasion, it appears necessary to remind the settlers and other cultivators, as well as those who have gardens (which are now lying totally neglected) of the necessity of their utmost exertions at this season to crop as much ground as possible which,

Necessity for increased activity.

* The result of this Order was the purchase of 16,663 lb. of iron, at a cost of £317 2s. 11d., an assortment of tools at £34 11s. 9d., and 13,736 lb. of beef, costing £429 5s.

1801 in the course of next year, will be found highly beneficial to the
8 May. both in procuring the necessities of life as well as some of the comforts; and it is equally obvious that the idle and dissipated must experience the most distressing want.

ORDINANCE.

Bread. It is hereby ordered that no other than one quality of wheat bread is to be made throughout the colony, viz.—Such bread be composed of meal, from which only 24 lb. of bran is to be taken from 100 lb.

A necessary regulation. As this regulation is necessary to prevent a distressing scarcity any inhabitant or person resident in the colony disobeying this ordinance will be punished according to their respective situations exclusive of the penalty of £5 for each offence.

And it is to be observed that bread baked for any merchant vessel is to be made of half Indian corn, and half wheat meal sifted as above.

Penalty for disobedience. Bakers of any description disobeying or neglecting any part of this ordinance will, on conviction, have their ovens taken down and be fined in the penalty of £5 for each offence. This ordinance to be in full force from and after the 11th instant.

PHILIP GIDLEY KING.

SIR JOSEPH BANKS TO COMMANDER FLINDERS. (Banks Papers)

— May. Sir, Soho, ———.*

The Investigator's passport. As some doubts respecting the passport had occurred, I advised the Navy Board not to disarm the ship till they were settled. Now no doubt remains of its being very shortly received orders therefore have, or will, this day be issued for disarming her according to your plan.

A chronometer provided. I have provided a pocket chronometer for you, which will be kept here as long as possible in order that its rate may be ascertained. The stationary and presents are nearly ready, as I am told.

Your being ordered up to the Admiralty Court I am ignorant of, but I hope you will be in all matters ready for sea by the 19th.

The table money. Respecting your table-money, the Company† are, I understand ready to pay you £600 immediately. Be so good, therefore, to write to Mr. Ramsay, Secretary to the Court of Directors, at the India House, asking him who you are to draw upon for the amount.

* This letter—in Sir Joseph Banks's handwriting—is not dated, but it was apparent from the letter of 1st May, 1801, to which Flinders refers, post, p. 366.

† The East India Company.

sorry to tell you that Mr. Daniel has very unexpectedly
to proceed. I am, therefore, looking out for another
man, but I have not yet found one.

1801

— May.

I am, &c.,

A draughts-
man
required.

JOS. BANKS.

divide the money as you propose for a three years' voyage
come out as follows :—

The allot-
ment of the
table money.

To the commander, at £150 a year	£450
To the lieutenant, at £80 a year	240
To four scientific men for three years	510
	<hr/>
	£1,200

any allowance to the gardener and miner.

seems no doubt, therefore, that the whole of the money
to the cabin should be put to the mess, and £30 or £40 a
owed to the gardener and miner.

ere are two lieutenants, a mate, and a surgeon in the gun-
ch, according to the Company's rate, would receive only
ear; the captain's allowance is evidently not intended for
mess-money, but for the mess at his table. £10 a year
uld, I think, do for the miner and the gardener.

HAWKESBURY TO THE ADMIRALTY. (Banks Papers.)

ords, Downing-street, 8th May, 1801.

8 May.

I have the honour to acknowledge the receipt of your
p's letter of the 20th of March, and agreeably to the
therein contained I have lost no time in making an
te application to the French Government for a passport
loop Investigator.*

Passport for
the Investi-
gator.

I have, &c.,

HAWKESBURY.

GOVERNMENT AND GENERAL ORDER.

10th May, 1801.

10 May.

storekeepers at Parramatta have yesterday, through
y and neglect, issued the full ration of meat, the Commis-
directed to purchase a quantity equal to the excess and
it to their respective wages; and it is to be understood
ere the public interest suffers by the misconduct of those
e charge of the stores, &c., the loss will be made good out
respective salaries.

PHILIP GIDLEY KING.

attached, in the handwriting of Secretary Nepean.—"Mr. Nepean presents his
s to Sir Joseph Banks, and desires he will please to return it after having
—Adm'ty Office, 9th May, 1801."

1801 COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

H.M.S. Investigator, Little Nore,

10th May, 1801.

10 May.
Table
money.

how to be
distributed.

Instru-
ments,
charts, and
other
articles.

Waiting for
passport,

and for a
master.

YOUR friendly letter,* Sir Joseph, of May 1st, I received, containing information of the East India Company having ordered us £1,200 for table money. They have, however, given me no information upon the subject either of the sum, the manner in which we are to obtain it, or when. It would be pleasanter to me would they determine upon the manner in which it should be applied; but if it is left to me I should think with you, Sir Joseph, that the only rule to go by would be the proportions observed by King's ships in the East Indies for myself and the officers, and that with respect to the scientific gentlemen I should propose that each individual received the same proportion as each individual of the gun-room mess, and that the gardiner and miner received £20 per year as far as the sum went. I should also propose that every person concerned received his proportion individually and applied it as he thought proper.

All the instruments from Troughton are received on board, and the charts from the Admiralty have been sent down by Mr. Marden and received; but the Admiralty have given me no answer whatever to my application concerning the guns and pocket chronometer, or have I received any intelligence concerning the articles of trade and barter, or the stationary and additional books.

I am now ordered to hold myself in readiness, if called upon, to attend a trial in the Admiralty Court about the 19th next, which does not look as if we were to sail very early.

I most sincerely hope, as I believe does every individual on board, that our passport may soon arrive, and that we may be able to begin a voyage in the success of which we are so much interested.

The only thing that remains undone in our outfit, beside what is above mentioned, is that I have not been able to find a master. I have written to Portsmouth and circulated the knowledge of our wants as wide as I could, but our fleets being almost all at sea, it has hitherto been without effect. The addition of pay granted by the Navy Board makes the Investigator equal to a first rate in point of emolument, and in case of success I should hope she would be superior to most in making interest. These advantages certainly give us some claim to one of the best officers in the service; but I shall most probably be under the necessity of requesting the Navy Board to appoint some one whose character at the Board is a sufficient presumption of his qualification to fill the station of master in the Investigator, for at present I see no probability of finding such an one myself.

I am, &c.,

MATTW. FLINDERS.

* Ante, p. 364.

GOVERNMENT AND GENERAL ORDERS.

1861

11th May, 1801.

11 May.

AS W—— K—— and J—— W——, have by regular Outlaws.
 been outlawed, and are supposed to associate and commit
 acts of depredation, in conjunction with the natives, on the
 the Governor is pleased to offer a reward of thirty gallons of
 to any person or persons who shall lodge the bodies of the
 —— K—— and J—— W—— in jail, or deliver them to
 a magistrate or officer in command.

In addition to the different orders respecting the landing spirits Unlicensed
 to a permit, it is to be understood that, although any indi- landing of
 may be bribed to conceal a transaction of that kind, yet spirits.
 information being substantiated, not only the bribe may be
 d, but also the whole of the spirits landed, as well as all
 under the roof and in the premises where it is deposited,
 a fine will become the property of the informant.

Magistrates are directed to visit the different bakehouses Bread.
 in respective districts at least once a week, on such days and
 hours as they may judge proper, for the detection of any
 who may disobey or neglect the ordinance of the 9th inst.

Commissary is directed to receive maize that is storeable Maize for
 in Majesty's stores at Sydney on Fridays, both in payment the store.
 is due to the Crown, and at the rate of four shillings per
 ; the rate of receipt to be two bushels in cob for one
 . Permits for maize given in to be paid for must be
 sd from the Secretary's office any morning at 8 o'clock.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

14th May, 1801.

14 May.

Only regulation that can at present be adopted respecting Weight of
 until the mills can supply a quantity of meal, is the quality bread.
 weight. As the ordinance of the 8th* is fully sufficient
 date the quantity, no other loaves are to be baked than
 weighing when new two pounds and one ounce, and when a
 old two pounds.

Boats are to be rowing about the harbour after eight o'clock Port regula-
 tions.
 t, and if any boats are found near the South Head, or any
 part of the harbour after that hour, the boats will be con-
 l to the public use, and the people in her to be confined,
 ll be dealt with as vagabonds.

PHILIP GIDLEY KING.

* Ante, p. 364.

1801

GOVERNMENT AND GENERAL ORDER.

15 May.

Labouring
hours of
convicts.

15th May.

OWING to the shortness of the days the following alteration is to take place in the public labour, until further orders, viz: to be at work at 7 o'clock in the morning, and to work until half-past two, at which times the bell will ring.

In consequence of the Orders of the 8th inst. and of yesterday, a baker's oven has been taken down, and the fine paid, for selling a loaf that ought to have weighed 2 lb., short of weight six ounces. This notice is intended to convince every description that the Governor is determined on having his orders enforced.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDERS.

17 May.

The stand-
ard loaf of
bread.

17th May, 1801.

At daylight the Deputy Commissary and the Quartermaster of the New South Wales Corps will receive 14 lb. of meal from Mr. Palmer's mill, and the same quantity ground by a handmill from the store wheat; out of each they will see that 3 lb. of bran is taken, then kneaded by two bakers chosen from among those who may attend the experiment, one by each officer. The leaven is to be set in the store, and after sufficiently raised it is to be made into 2-lb. loaves, under the inspection of the above officers, who will see it put into an oven, over which a centinel and a constable is to be placed until it is drawn, then each sort is to be weighed, both when it comes out of the oven, and when it is cold.

GOVERNMENT AND GENERAL ORDER.

19 May.
Bread and
wheat.

19th May, 1801.

It having been proved by the report of the officers ordered to make the trial, as directed by the Order of the 17th, that fourteen pounds of bread can be made from fourteen pounds of wheat after 3 lb. of bran is taken out; and a meeting of the Acting-Lieut. Governor and Magistrates having decided that 3 lb. of wheat given to the baker is a sufficient allowance for a loaf of 2 lb., by regulated Orders of the 8th and 14th instants, it is to be understood that until wheat can be furnished the bakers, not more than 3 lb. of wheat can be demanded for a 2 lb. loaf.

PHILIP GIDLEY KING.

GOVERNOR KING TO COMMISSARY PALMER. (King Papers.)

19th May, 1801.

The sugar
rations.

WHEREAS it appearing that the allowance of sugar hitherto given to the civil, military, and convicts, of six ounces each full ration per week, was in consequence of a Treasury Regulation on that

and from the great loss of wheat and maize by the inundation at the Hawkesbury, the ration of sugar cannot be made lent by a proportion of grain without reducing the inhabitants to great want before next harvest; and as a proportion of, as allowed in the Navy, is wanted for the use of His Majesty's armed surveying vessel *Lady Nelson*; and the vessels, &c., belonging to Government, being going to decay for want of pitch and tar; and as the master of the *Anne* transport is desirous to dispose of,—you are hereby required and desired to treat with him for the purchase thereof on the lowest terms you can possibly obtain them, delivering me a statement of the same before you make the bargain. which this shall be your order.

1801

19 May.

Spirits for
Government
vessels.Supplies
purchased
from a
transport.

PHILIP GIDLEY KING.

GOVERNOR KING TO LIEUTENANT SCOTT.

20th May, 1801.

20 May.

His Majesty's service in this colony requiring that every exertion should be made to supply this settlement with salt pork from the Society Islands, where, from the authority of Cook and other voyagers whose voyages are published, as well as from the missionaries and south whalers who have recently visited those islands, it is informed that hogs may be got on the most reasonable terms for such articles as are in request among the natives; and as a supply of salt has been procured from the Ocean, South Sea, and as His Majesty's armed vessel *Porpoise* is now at sea and victualled for six months—you are hereby required to receive on board the quantity of salt brine, procured in casks, and articles for barter as per enclosure, and proceed at loss of time to Matavia Bay in the Island of Otaheite, after having delivered the enclosed letters to the missionaries at Otaheite, chief of that district, you will consult with them on the best and most effectual means of procuring as many hogs as possible in that district (and at the cheapest mode of exchange for such articles as you are provided with) for the purpose of procuring in the manner described by Captains Cook and Vancouver, and enable you to do which, as well as a guide in navigating among the Society Islands, you are furnished with such parts of Cook's voyages as relate thereto, to which I have added such extracts from Captain Vancouver's voyage as will assist you in executing this service for the welfare and perhaps future existence of the colony.

The supply
of salt pork
from the
Society
Islands.Scott to re-
pair there
in the
Porpoise.Extracts
from Cook's
and Van-
couver's
works.

You find that you cannot procure a sufficiency of hogs at Matavia Bay you will request Mr. Jefferson, or the body of

Enlisting aid
of mission-
aries.

articles purchased consequent on this order were 29,607 lb. of sugar, costing £204 10s.; 204 gallons of spirits at £61 4s.; 8 barrels of tar for £25; 2 barrels of pitch, £7 18s. sundries, the price of which was £37 10s.

1801

20 May.

missionaries to make choice of one of their number who understands the language and who may be useful to you in procuring hogs, not only at Matavia, but also to accompany you to such other parts of Otaheite as you can approach with safety to the ship; and should you not be able to accomplish the object of your voyage at that island you will proceed to Eimeo, Huaheine, or Ulitea, and persevere until you may be able to fill all the casks you take from hence or can appropriate to that purpose.

Previous to your leaving Otaheite you will inform the missionaries and Pomarre that it is your intention to return to Matavia Bay for such hogs as may be procured during your absence, to land the missionary and receive the letters to me, which you will not omit doing.

Norfolk
Island.

As a quantity of salt has been sent to Norfolk Island, in the event of your not filling your casks at the Society Islands you will call at Norfolk on your return for such salt pork as the Acting Lieutenant-Governor may be able to procure, giving receipt for same.

Islanders
to be
conciliated.

In executing this service you will be particularly attentive to cultivate that good understanding which has so generally prevailed between the natives of these islands and such vessels as have visited them, but in doing which you will be careful not to take a decided part in any of their quarrels, which must not only prevent our procuring future supplies but also endanger the safety of the missionaries now resident among them. And as I am informed that there are several seamen on the Island of Otaheite who have left different ships, and also several convicts who have made their escape from this colony, and are not only held in great detestation by the natives but very troublesome to the missionaries, if you find any people of that description on Otaheite you will take an opportunity before you leave it, or sooner if necessary, of securing and bringing them here as prisoners.

Deserters
and escapees
to be
removed.

Future
supplies of
pork.

Should you be of opinion that future supplies of hogs can be got from those islands, you will inform the missionaries and different chiefs who you may have intercourse with, that it is my intention to send a ship once a year for such hogs as they may be able to procure; and you will endeavour to make yourself acquainted with the articles of barter that are most in request among the natives.

Respect to
be paid to
mission-
aries.

You will also cause such attention to be observed to the missionaries established at Otaheite as may impress the natives with an idea of their being greatly respected by those under your command, which will not only be the means of procuring supplies more readily hereafter, but also ensure the safety of that society.

In performing this service you will use the utmost expedition and return to this port as soon as possible (as the provisions you may obtain may be much wanted before your return), deliver me a journal of your proceedings, in which you will particularise

circumstance respecting the natives, the state of the mission, 1801
 1 other observations as may guide my future conduct in 20 May.
 up an intercourse with those islands.
 3 Pomarre should wish to send a native of Otaheite to this
 u are not to bring any of them here.*

PHILIP GIDLEY KING.

UNDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

H.M.S. Investigator, Nore,

21st May, 1801.

21 May.

Information, Sir Joseph, which you was kind enough to
 of no doubt remaining but that the passport† would be
 , and the probability of our speedy departure were in-
 eptable, and the communication is an additional mark of
 interest you are pleased to take about us. It was some
 fore the Navy Board orders came down concerning our
 t yesterday we got them out, and those on board are
 which are to supply their places. Shipwrights are now
 orts for them, and by Saturday all that matter will be
 d. We are now armed in the most convenient manner
 and, I think, very sufficiently for our purpose. We have
 besides swivels.

Passport for
Flinders.

Armament.

Next our additional water and the provisions to recomplete
 k in a day or two; and, as far as rests with us here, we
 can be ready for sailing. The box of stationery from the
 Office has been on board some days, but the presents I have
 received.

Provisions.

Receipt of your last letter, I wrote to Mr. Ramsay, the
 7 to the Court of Directors,‡ but have received no answer
 any information from the company whatever.

A few stores that we shall have occasion for from the dock-
 fill up the deficiency which the expenditure during our
 e has occasioned, cannot be obtained until the order for
 ng arrives; if, therefore, that order was sent a few days
 to the time when I should be expected to sail, it would
 us somewhat.

Stores from
the dock-
yard.

I leave again to express my hopes for the honour of seeing you
 re, Sir Joseph, and it will give me great pleasure to see Major
 accompanying you. His son's clothes are already on board.
 moved out to the Great Nore on Thursday last.

same day on which King signed these Instructions to Scott, he issued a Procla-
 the effect that only such officer as might be appointed for that purpose should
 the islanders; that no curios should be purchased until a sufficiency of pork had
 red; if members of the crew employed on shore allowed their weapons or tools
 the hands of the natives, the full value thereof was to be deducted from their
 1 finally the officers and men of the ship were to be respectful and attentive to
 aries.

support from the French Government was procured by Lord Hawkesbury, from
 act, p. 334.

4 Directors of the East India Company.

1801 I have written to the Navy Board, requesting them to pitch
 21 May. upon a master, having been unsuccessful in my search after a
 A master. proper one. I daily expect their answer.

With the highest respect and esteem,

I am, &c.,

MATTW. FLINDERS.

Table
money.

Mr. Whidbey, Sheerness.—By this post I have received a letter from Mr. Ramsay, informing me of the resolution of the Directors to give us £1,200, half of which their treasurer will pay me now, and the remainder at the end of the voyage. I have accordingly drawn upon them, and shall have the money ready by the time the gentlemen join us.

Mr. Whidbey requests me to make his respects to Sir Joseph Banks, and adds that he shall have the pleasure of paying them in person on Monday or Tuesday next.

SIR JOSEPH BANKS TO COMMANDER FLINDERS.* (Banks Papers.)

Dear Sir,

21st May.

Flinders
married.

I have but just time to tell you that the news of your marriage, which was published in the Lincoln paper, has reached [me]. The Lords of the Admiralty have heard also that Mrs. Flinders is on board the Investigator, and that you have some thoughts of carrying her to sea with you. This I was very sorry to hear, and if that is the case I beg to give you my advice, by no means to venture to measures so contrary to the regulations and the discipline of the Navy; for I am convinced, by the language I have heard, that their Lordships will, if they hear of her being in New South Wales, immediately order you to be superseded, whatever may be the consequences, and in all likelihood order Mr. Grant to finish the survey.

Wife should
not accom-
pany him.

Admiralty
averse.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

H.M.S. Investigator, at the Nore,

24th May, 1801.

24 May.

Flinders's
wife.

I AM much indebted to you, Sir Joseph, for the information contained in your letter of the 21st. It is true that I had an intention of taking Mrs. Flinders to Port Jackson, to remain there until I should have completed the purpose of the voyage, and to have then brought her home again in the ship, and I trust that the service would not have suffered in the least by such a step. The Admiralty have most probably conceived that I intended to keep her on board during the voyage, but this was far from my intention.

* This is a rough draft, unsigned, but in the handwriting of Sir Joseph Banks, which has been preserved amongst the MSS. purchased from Lord Brabourne.

I am in
mation &

It is to
Flinders &
have comp.
then bring
that the w.
by such a
-ceded, the
voyage, but
As a
L. 1

The Right Honourable

For Joseph Banks's Bank-
H. B. B. B. B. B.
To the Square
London

some vindication of the step I was about to take I may be
 itted to observe that until it was intended to apply for a
 port I not only did not take the step, but did not intend it,
 h is perhaps a greater attention to that article of the Naval
 actions than very many commanders have paid to it. If
 Lordships understood this matter in its true light, I should
 that they would have shewn the same indulgence to me as
 ient. Kent, of the Buffalo, and many others who have not had
 lea of a passport.

1801

24 May.

He proposes
 to take her
 to Sydney,

their Lordships' sentiments should continue the same, what-
 may be my disappointment, I shall give up the wife for the
 ge of discovery; and I would beg of you, Sir Joseph, to be
 ed that even the circumstance will not damp the ardor I feel
 accomplish the important purpose of the present voyage, and
 way that shall preclude the necessity of any one following
 me to explore.

unless
 Admiralty
 object.

would be too much presumption in me to beg of Sir Joseph
 to set this matter in its proper light, because by your letter
 ge it meets with your disapprobation entirely; but I hope that
 opinion has been formed upon the idea of Mrs. F.'s continuing
 board the ship when engaged in real service.

Sir Joseph
 Banks's
 influence.

vo days since the articles for presents and barter came on
 d, and yesterday I received orders from the Admiralty to pro-
 to Spithead, from which I am led to hope that the passport
 rived, and that the necessary orders and instructions will only
 in me till your return to town.* I expect to sail to-morrow,
 ng taken on board the necessary stores and provisions to
 lete, the exchange of a boat excepted, which can be done at
 head.

Orders to
 drop down
 to Spithead.

we now carry 58 tons of water, of which 25 are in the ground
 ; but with the addition of the last eight, which is kept at hand
 use, we shall be enabled to reach Rio Janeiro without going
 short allowance of water or touching anywhere if such a
 ure is necessary; but if two or three days could be spared to
 Madeira or St. Jago, it would advantage the health of the
 by giving them a little intermediate refreshment, and by
 g away the necessity of going to any allowance of water.
 ld the Cape of Good Hope be our destination, instead of Rio,
 measure would become necessary, though not absolutely so.
 would beg leave to ask, Sir Joseph, how far the scientific gen-
 en are to furnish me with copies of their observations and
 ; material drawings, either for transmitting home, by proper
 rtunities, or for collating with the account of the voyage,
 h, as far as I am able, I propose to keep in nearly the same
 of advancement as the voyage itself. Should it be deemed

The water
 supply.

Drawings,
 &c., of
 scientists.

* Order was dated 22nd May, 1801; in it Flinders was directed to proceed immediately
 be Investigator to Spithead, and there remain for further orders.

1801 proper for them to furnish me with copies of their observations, &c,
 24 May. it will no doubt be included in their instructions, or mine, or both
 Anxiously wishing to commence our employment,

Yours, &c.,

MATTW. FLINDERS

EX-GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

His Maj's Ship Buffalo,

Spithead, 24th May, 1801.

My Lord Duke,

Hunter
arrives in
England.

In obedience to the commands of His Majesty, as signify'd to me in your Grace's dispatch of the 5th Nov., 1800*, by the Speedy, I beg to inform your Grace that I arriv'd this day at Spithead, and that I have written to the Admiralty Board for permission to come to town, when I will have the honor of waiting upon your Grace. I forward by the officer who will deliver this the various dispatches which I had thought it necessary to prepare for your Grace before I left the colony, and also those of Lt.-Gov'r King, whom I left in command. I have, &c.,

JNO. HUNTER

THE DUKE OF PORTLAND TO COMMISSIONERS OF TRANSPORTS.

25 May.

Gentlemen,

Whitehall, 25th May, 1801.

Convicts
from
Ireland.

The gaols in Ireland being at this moment very much crowded with convicts, I have to desire that you will lose no time in chartering a vessel for the purpose of carrying 300 male and 40 female convicts from Cork to New South Wales, and that you will inform me about what time the vessel will be ready to sail from hence, in order that the convicts and the provisions necessary for their subsistence during the voyage may be in readiness to be embarked immediately on her arrival at that port.

I am, &c.,

PORTLAND.

GOVERNMENT AND GENERAL ORDER.

26 May

Selling
rations for
spirits.

26th May, 1801.

W—— S——, E—— F——, and S—— R——, being convicted before the magistrates of purchasing and selling for spirits the provision issued from the stores to the two children of E—— F——, are punished by imprisonment and hard labour. As this is a crime the Governor is determined never to pardon or overlook, it is hoped that this example will prevent the repetition of a practice so injurious to the means of existence, and productive of robberies on private property.

PHILIP GIDLEY KING.

* Evidently an error; should be 5th November, 1790, vol. iii, p. 733. This was the letter in which Hunter was ordered to return to England by the first safe conveyance, and hand over the government to Lieut.-Governor King.

THE WAR OFFICE TO THE DUKE OF PORTLAND.

1861

My Lord,

W.O., 26th May, 1861.

26 May.

The undermentioned arms (26 pikes, 3 fusils, 3 bayonets, 132 firelocks, 130 bayonets, 18 drums with pairs of sticks, 18 drummers' hangers), &c., being wanted to complete the New South Wales Corps, I have the honor to request your Grace will receive and transmit His Majesty's command to the Master-General and Board of Ordnance, that the said arms, &c., may be issued out of His Majesty's stores for the use of the said regiment, and the expence thereof charged to the estimate of Ordnance for Parliament.

Arms for the
N.S.W.
Corps.

I am, &c.,

ROBT. BROWNEIGG.

GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord,

Sydney, 26th May, 1861.

Enclosed I have the honour to transmit vouchers* for the payment of articles which it has been unavoidably necessary to purchase on the public account from the supercargoes of the ship Missouri, cleared from Philadelphia for this port.

Purchases
from trading
vessel

I also subjoin a separate list,† containing those articles, and the necessity of purchasing them, which I hope will be approved of, as I have observed the strictest economy, and, I may add, forbearance, in not purchasing many articles that we are totally destitute of, for carrying on the public works that are absolutely necessary, and with which that ship abounds, as your Grace will observe by the enclosed list of her cargo, which the supercargoes were assured, previous to their leaving America, would be purchased immediately on that ship's arrival by Government; but expecting to receive some stores by the Earl Cornwallis, which I hear is on her passage hither, I have directed the Commissary to purchase such articles only as could not be done without.

confined to
necessaries.

The last payment made for grain received into His Majesty's stores from individuals (from the time of my taking the command, September 28th, up to the 31st December, 1860), was by bills drawn in favour of Mr. Wilson, master, and Mr. Skene, mate, of the Royal Admiral transport, as by voucher transmitted to your Grace and the Secretaries of the Treasury, per Trimmer, *via* India. Since then a greater quantity has been necessarily received, payment for a part of which has been made to the supercargoes of the Missouri, for articles supplied those who gave the grain into the public stores, a voucher for which I have the honor to transmit by the Albion, south whaler, which leaves this port for England direct next month.

Payment for
grain.

I have, &c.,

PHILIP GIDLEY KING.

* This enclosure is not available.

† The cargo of the Missouri included spirits, cherry brandy, wine, porter, vinegar, chocolate, tobacco, snuff, preserved meats, anchors, iron, steel, salt meat, stationery, haberdashery, ironmongery, hats, candles, cloth, butter, tools, sugar, boots, stockings, soap, flour, grindstones, linen-drapery, glass, earthenware, and flannel.

1801

THE DUKE OF PORTLAND TO THE ADMIRALTY.

28 May.
The naval
command

My Lords,

Whitehall, 28th May, 1801.

I herewith transmit to your Lordships the copy of a letter which I have received from Captain King, who has succeeded Captain Hunter as Governor of New South Wales, requesting that the Buffalo, which was purchased for the service of the colony, may be returned to that service, and that he may have (in like manner as Captain Hunter had) the command of that vessel and the Porpoise.

should rest
in the
Governor.

Your Lordships will, I am sure, concur with me in opinion as to the necessity of those vessels being under the command of the existing Governor, so long as such Governor shall be a captain of His Majesty's Navy; and in that case I request that your Lordships will be pleased to send the necessary orders for that purpose by one of the vessels named in the margin,* which are about to sail from Portsmouth to New South Wales.

Return of
the Buffalo.

As in case of accident, or in the absence of the Porpoise, the colony will be left without any ship there as a guard, it is to be wished that the Buffalo should be put into a situation to return thither as soon as it can conveniently be done. Your Lordships will at the same time take into your consideration whether it will be proper to leave the Porpoise in the command of Mr. Scott (a master in the Navy), or whether any other officer should be sent out to take command of her.

I have, &c.,

PORTLAND.

GOVERNMENT AND GENERAL ORDER.

29 May.

29th May, 1801.

The King's
birthday.

THURSDAY next, being the anniversary of His Majesty's birth, will be observed as a holy day. The present Union will be hoisted at sunrise. At $\frac{1}{4}$ before nine the New South Wales Corps and Association to be under arms, when the Royal Proclamation for the Union between Great Britain and Ireland will be publicly read by the Provost-Marshal, and on the new Union flag being displayed at Dawes's Point, and on board His Majesty's armed vessel Lady Nelson, the military will fire three rounds, which the batteries will take up, beginning at the main guard, Bennalong and Dawes's Points, at the Windmill Hills, and at the barracks. When finished, His Majesty's armed vessel Lady Nelson will fire 21 guns, man ship, and cheer. At noon, the salute will be repeated from the batteries. New South Wales Corps and Association will fire three rounds, and at one o'clock the Lady Nelson will fire 21 guns in honor of His Majesty's birthday.

The new
Union flag.

Royal
salutes.

The
Governor's
levee.

The Governor will be ready to receive the compliments of the officers, civil and military, on those happy occasions at $\frac{1}{2}$ -past one o'clock.

* Canada, Minorca, and Nile.

Commissary is directed to issue one pound of fresh beef in to the ration to those victualled from His Majesty's that day.

1801
29 May.

person, civil and military, to whom the labour of prisoners d from public stores is assigned, are to deliver in lists to McKellar, on or before Friday, the 5th of June; and overnor has received a repeated Instruction on no account of any person who does not labour for the public benefit rations for any prisoners (except the allowance of two ommissioned officer of the military, and to each officer of establishment), he is under the necessity of discontinuing algence to the sergeants of the New South Wales Corps.

Lists of
convict
servants.

ajesty having taken into his most gracious consideration nveniences that the inhabitants of this colony have in laboured under from the excessive prices demanded by ers and retailers for articles of necessary use, and the enable them to raise grain at a cheap rate, has been o direct a considerable quantity of articles for common tion to be shipped on board the Earl Cornwallis, which expected, and to be disposed of by the Commissary in for grain and animal food supplied the public stores, at nce of 30 per cent. on perishable articles, and 20 per cent. ishable articles, to indemnify the public for freight, losses, ing in small quantities. A list of the articles will be l on Monday next, to prevent the inhabitants from making hases at an extravagant rate.

Goods ship-
ped from
England to
be retailed
by Commis-
sary.

ommissary is directed to stop one pound of salt beef in ; for one pound of fresh beef that will be issued on Sunday victualled; women and children in proportion.

PHILIP GIDLEY KING.

DUKE OF PORTLAND TO THE TREASURY COMMISSIONERS.

Whitehall, 29th May, 1801.
I enclosed I transmit to your Lordships a list of articles to be sent out yearly to New South Wales, consigned to rnor of that settlement, to be disposed of to the inhabi- money, or given in exchange for grain or animal food

Stores to be
sent to the
colony for
sale.

His Majesty's stores (exclusive of stores, implements, for the use of convicts at publick labour), 30 per cent. to ed on all such articles to indemnify Government for oses, and issuing in small quantities. And I am to ar Lordships to give directions for purchasing the same, to direct the Commissioners of Transports to send them /in the South Sea whalers, or other vessels destined to the such proportions as those ships can receive them in.

1801
29 May.
Reason for sending such stores.
The advantages which Government, as well as the settlers, will derive from this mode of proceeding (until the communication between this country and New South Wales shall become more frequent and regular) is very considerable. At present the charges made by individuals on such articles of necessity as are specified in the said list are calculated on a profit of from one hundred to five hundred per cent.

Salted pork required.
It will be also necessary to ship for the use of the settlement in the first vessels from this country 250,000 lb. of salted pork, or a proportionate quantity of salted beef, if the former cannot be procured, which will complete the demand of the settlement for salted provisions to the end of March, 1802.

Pork preferable to beef.
As a considerably less proportionate quantity of pork than of beef is necessary, the advantage of sending the former instead of the latter (if it can be done) is obvious, both in respect of price and tonnage.

Annual supply of pork
for three years.
It seems also advisable that the Board of Victualling should be early apprised of the quantity of salted provisions which it will be necessary to send out *annually* to New South Wales; and I take this opportunity of informing your Lordships that from the calculation I have made from the last despatch received from the settlement, it will be necessary to send 492,428 lb. of pork, or a proportionate quantity of beef, annually for three years to come, commencing from September next, including as a part of the supply for the first year the 250,000 lb. above-mentioned.

Arranging for a regular supply.
At the end of three years, as your Lordships will perceive from the within extract of a letter from Gov'r King,* this quantity may begin to be diminished gradually in every succeeding year, until such time as the live stock of the colony shall be sufficient for its consumption.

At the same time that the Commissioners of Victualling are apprised of the annual quantity, I submit to your Lordships that the Board of Transport should be directed to provide freight for the same in the South Sea whalers, at such times and in such quantities as the former Board can furnish it; and that the Commissioners of Victualling should always keep the Transport Board apprised of the quantity they may have in readiness to be sent to that settlement.

By this mode of proceeding the colony will be regularly supplied at the least possible expence, and with the less risk of its being driven, from want, to supply itself from the live stock belonging to the Crown, until the period when such stock shall become sufficiently abundant to allow of it.

PORTLAND.

* See Governor King to the Duke of Portland, ante, p. 182.

[Enclosure.]

1801

list of articles necessary to be sent yearly to New South Wales to be disposed of to the inhabitants for money, or given in exchange for grain and animal food supplied His Majesty's stores exclusive of stores, implements, &c., sent for the use of the convicts at public labour); 30 per cent. to be charged on all articles, indemnify Government for freight, losses, and issuing in small quantities:—

29 May.
Goods for
the public
warehouse
at Sydney.

4,000 yards Russia duck.	20 gross yellow buttons.
1,000 do. Irish do.	60 doz. shirt buttons.
100 do. superfine cloth.	500 yards tape.
3,000 do. common do.	300 do. bobbin.*
2,000 do. callico check.	30 ferrets.†
500 do. flannel.	400 yds. muslin.
10 gross common knives & forks	100 pieces durants.‡
10 gross clasp knives.	40 do. camblets.§
200 pair of scissors.	40 do. wildbore.
1,000 sheets tin and solder.	30 pieces callimancoes.||
10 pit saws.	250 printed cotton shawls.
30 cross-cut do.	150 yds. mode.
100 hand do.	50 do. Persian.
6 sets shoemaker's tools.	100 pieces different ribbons.
1,000 sorted files.	400 yds. edging.
2,000 feet of glass.	12 doz. black cotton hose.
200 sieves for wheat and flour.	4 do. black worsted.
80 augers.	200 printed calicoes.
300 chizzles and gouges.	2,000 needles.
1,000 gimblets.	100 lb. pins.
20 smoothing planes.	50 casks of nails.
10 jack do.	300 spades without handles.
6 firkins red paint.	300 iron pots.
6 do. white lead.	200 stock and padlocks.
10 crates of crockery and glass.	100 drawer, &c., locks.
4,000 lb. soap.	10 gross iron, &c., spoons.
100 do. stone blue.	500 lb. wax candles.
1,400 hats.	12 gross combs.
200 muslin handkerchiefs.	300 reaping hooks.
300 cotton do.	500 West India hoes.
100 lb. thread.	700 pair women's shoes.
20 do. coloured.	500 do. children's.
6 do. black silk.	6 dozen pair of wool cards.
4 do. coloured silk.	10 pipes of port wine annually, for
5 do. coloured twist.	officers, civil and military.

GOVERNMENT AND GENERAL ORDER.

1st June, 1801.

1 June.

Every person in and about Sydney who can spare wheat and maize the public use are to give an account thereof any morning this crops.

A kind of cotton string, or round tape.

Narrow tape made of woollen thread, cotton, or silk.

A stout, closely-woven cloth, made in imitation of buff leather, and sometimes called "imitations."

Camblet or camlet was a fabric made, formerly, of camel's hair, and latterly of wool, or goat's hair.

Calamanco, a checkered variegated cloth used for gentlemen's clothing. Addison counts one of the young men of his day as attired in "a gay calamanco waistcoat."

1801 week, between nine and twelve o'clock, to the secretary's office, that orders may be made out accordingly.

1 June. The district constables are ordered to collect information within their respective districts respecting the quantity of grain in possession of individuals, and the quantity they can give into the stores.

Grain for the store.

Application to be made for orders to put maize or wheat into the stores on Fridays between nine and twelve o'clock.

Abuse of the assignment system.

It having been represented to the Governor that several settlers and others who have been allowed to take prisoners off the stores have abused that indulgence by receiving payment from the prisoners to allow them to be on their own hands, or have let such prisoners out for hire, if any person cannot support or employ the prisoners they have taken off the stores they are to be returned to Government labour before next Monday, the 8th instant; and if any person is detected in letting out a prisoner to hire, or allowing him to be on his own hands, they will, on conviction before a magistrate, be fined in the sum of two shillings and sixpence for each day such prisoner has been assigned to them.

Police inspectors.

Serjeant-Major Jamieson and Serjeant Flemming are ordered to inspect into the police of George's River settlements and the watchmen in the military district at Sydney, and make weekly reports thereof to the Acting Lieut.-Gov'r, for which duty they are allowed the labour of one prisoner each.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

2 June.

Goods per the Greenwich.

2nd June, 1801. THE owners of the Greenwich, whaler, having permission of Government and the sanction of the East India Company, sent a useful investment of articles to this colony for sale, the Governor has directed the Commissary to receive the same into His Majesty's stores, and as soon as possible to make the prices and terms of sale public, when those who are in want of such articles, and have the present means of payment, are to make applications for such proportions as they may want, in writing, every morning at nine o'clock at the Commissary's office.

Selling prices.

The advance of these articles is regulated by the Governor at 50 per cent. above the prime cost, charges for the insurance, &c., allowed.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

H.M.S. Investigator,

Spithead, 3rd June, 1801.

3 June.

ON our arrival here yesterday, Sir Joseph, I received your acceptable letter of May 26.* I feel much obliged by your offer to

* Banks's letter of 26th May has, unfortunately, not been preserved.

y the substance of my letter before the Admiralty, but I foresee
 at although I should, in the case of Mrs. F.'s going to Port Jack-
 m, have been more particularly cautious of my stay there, yet
 eir Lordships will conclude naturally enough that her presence
 ould tend to increase the number of and to lengthen my visits.
 am therefore afraid to risk their Lordship's ill opinion, and Mrs.
 . will return to her friends immediately that our sailing orders
 arrive.*

1801

3 June.

Mrs. Flin-
 ders to
 remain in
 England.

The advance state of the season makes me excessively anxious
 to be off. I fear that a little longer delay will lose us a summer and
 lengthen our voyage at least 6 months; besides that, the French
 are gaining time upon us.†

An irksome
 delay.

In consequence of my application the ship's company and
 officers are to be paid up to the end of last month, and two
 months pay advanced.

Advance
 pay.

I am happy to inform you that the Buffalo has brought home a
 person formerly of the Reliance, whom I wish to have as master.
 He volunteers, the captain of the ship agrees, and I have made
 application for him by to-day's post, and expect his appointment
 by Friday.

The master.

Your ready compliance with everything that I have wished
 relative to my instructions, etc., etc., and which I feel most
 sensibly and gratefully, embolden me to express my wish that the
 Governor of New South Wales should have the necessary orders
 sent to him relative to the Lady Nelson and Lt. Grant, both from
 the Admiralty and from the Secretary of State's Office, and also
 that he should be ordered to give me every advice and assistance
 in his power, and not to divert me from the service upon which I
 am sent.‡ Of these necessary letters, Mr. Hollingworth made
 memorandums, but whether that is sufficient to procure such orders
 being issued I am uncertain, and therefore take the liberty of
 mentioning them to Sir Joseph Banks.

Instructions
 to the
 Governor of
 New South
 Wales.

I sincerely hope that the passport is now arrived, and that
 nothing will detain us more than one week here at most.

The honour which you proposed to confer upon the Investigator
 Sheerness will, I hope, be done to us here—an honor that will
 add to the obligations of, Sir Joseph,

A visit from
 Banks.

Yours, &c.,

MATTW. FLINDERS.

* Had Mrs. Flinders accompanied her husband to Sydney, she would doubtless have
 shared with him in the Cumberland, and shared his weary years of captivity on the Isle
 of France.

† Flinders evidently refers to the expedition under Commodore Baudin, which had sailed
 six months before.

‡ These instructions were sent to Governor King. See Admiralty to the Governor, April,
 1—ante, p. 300.

1801

COLONEL BROWNEIGG TO UNDER-SECRETARY KING.

3 June.

Sir,

Horse Guards, 3rd June, 1801.

The
military.

I have had the honor to lay before the Commander-in-Chief your letter of the 29th ultimo and enclosures from Governor King,* and I have it in command to acquaint you, in reply to the subjects thereof, for the information of His Grace the Duke of Portland that, His Royal Highness, aware of the necessity of keeping the New South Wales Corps as strong in officers as possible, has uniformly ordered all absentees to join, and it is presumed that some of those reported absent in the return transmitted by Governor King have long since joined the Corps.

Lieut. Cum-
mings.

In regard to Lieut. Cummings, I am directed to acquaint you that your letter of the 24th October, 1799,† was the first intimation that the Commander-in-Chief received relative to his situation, and in consequence thereof he was permitted to sell his commission in August last, which was communicated accordingly to Lieut.-Colonel Patterson with directions that Lieut. Cummings should be sent from the Corps by the first opportunity.‡

Trial of
officers by
Court-
Martial.

In regard to the question whether officers are at liberty to refuse to be tried by General Courts-Martial at New South Wales, I am directed to acquaint you that His Royal Highness having taken the opinion of the Judge-Advocate General thereon, it appears decidedly that officers are not at liberty to refuse being tried by General Courts-Martial in New South Wales, the Legislature having made provision for the holding of such trials in that as in other distant colonies and stations occupied by His Majesty's forces. And I am here commanded to express His Royal Highness's request to call the Duke of Portland's attention to the circumstance of Governor Hunter having not only permitted, but sanctioned, Major Johnston's coming home for the purpose of being tried here by a General Court-Martial. The measure of removing the Major from the place where the offence is charged to have been committed, and where all the witnesses capable of giving testimony or throwing light upon the subject, and sending him to another country to be tried, where no competent evidence can be had, appears to His Royal Highness to have been extremely mistaken, and to admit of no other means of terminating this untoward business by a judicial decision, than by Major Johnston's being remanded to New South Wales, and being there tried by a General Court-Martial, as was originally intended; for to assemble a Court-Martial for the trial of Major Johnston in

Governor
Hunter and
Major
Johnston.Trials to be
held in the
colony.

* The letter from Governor King was that of 28th September, 1800, in which he complained that so many officers of the Corps were absent from the colony—ante, p. 193.
† Vol. iii, p. 726.

‡ In 1806 Lieut. Cummings was still in the colony. Joseph Holt mentions in his *Memoirs* (vol. ii, p. 275,) that Cummings gave information in consequence of which he (Holt) was convicted of keeping an illicit still.

§ This question was asked in consequence of Major Johnston insisting upon being tried in England for a breach of orders regarding sale of spirits—ante, p. 196.

London, would be a mockery of justice, as neither the accuser, **1801**
 or any of the witnesses would be forthcoming, nor could any **3 June.**
 exposition extrajudicially made in New South Wales be noticed
 by the Court.

In reply to that part of your letter relating to a deduction for **Pay of**
 provisions issued to the troops, I am commanded to acquaint you **troops.**
 that His Majesty's warrant, bearing date the 6th of February,
 1799, specifies that there shall be taken a deduction of threepence
 halfpenny a day from the full pay of each sergeant, corporal,
 rumpeter, drummer, fifer, and private man, when station'd in
 New South Wales, on that account.

I am further to acquaint you that, in consequence of the **Barrack**
 arrangements approved of for providing barrack furniture and **furniture.**
 utensils for the use of the New South Wales Corps, the necessary
 directions were given on the 29th of April, 1799, to the Barrack-
 Master General.*

Having replied to the several subjects of your letter, I am com- **Officers**
 manded to observe that the inconvenience to the service complained **absent from**
 of by Governor King, from a want of officers with the New South **colony.**
 Wales Corps, is aggravated by Governor Hunter not only having
 permitted Major Johnston to come over, but his having brought
 Captain Prentice with him, which he appears to have done without
 any previous communication with the Commanding Officer of the
 Corps, nor has the Commander-in-Chief yet had assigned to him
 the necessity that caused this measure.†

I have His Royal Highness's further command to desire that
 you will be pleased to submit for the consideration of the Duke
 of Portland whether, from the great increase of the colony of New
 South Wales, and the unavoidable separation of the military
 force there in detachments throughout the settlement, it may not
 be advisable to augment the New South Wales Corps, to eight **Augmenta-**
 hundred men, with the addition of a Lieutenant-Colonel and **tion of the**
 Major and of one Lieutenant to each company, this being the **New South**
 only means that His Royal Highness can suggest to obviate the **Wales Corps.**
 want of officers in that colony.

Yours, &c.,

ROBT. BROWNRIGG.

MR JOSEPH BANKS TO COMMANDER FLINDERS. (Banks Papers.)

Sir, Soho Square, 5th June, 1801.

5 June.

I yesterday went to the Admiralty to enquire about the
 investigator, and was indeed much mortified to learn there that

* The Barrack-Master General (T. de Lancey) informed Under-Secretary King on 5th
 June, 1801, that he had shipped the following articles for the New South Wales Corps :—
 For Officers : 30 bellows, 30 sets of fire irons, 30 fenders. For Soldiers : 800 hammocks, 800
 hammocks (palllasses), 800 hammocks (bolster cases), 1,600 single blankets, 800 rugs, 100 cast-
 iron pots (of four gallons each), 200 round towels, 100 iron ladles, 100 flesh forks, 800 tin
 meat pans, 800 tin soup plates, 800 iron spoons (tinned), 100 frying-pans.

† In consequence of this letter Under-Secretary King wrote to the Transport Commis-
 sioners on the following day (4th June, 1801), requesting them to order passages on the ship
 then about to sail for Messrs. Johnston and Prentice.

1801

5 June.

Banks mortified at Flinders's conduct.

Bad discipline consequent on Mrs. Flinders's presence.

The mess money.

Its allotment.

you had been on shore in Hythe Bay, and I was still more mortified to hear that several of your men had deserted, and that you had lost a prisoner entrusted to your charge, who got away at a time when the quarter-deck was in charge of a midshipman.

I heard with pain many severe remarks on these matters, and in defence I could only say that, as Capt. Flinders is a sensible man and a good seaman, such matters could only be attributed to the laxity of discipline which always takes place when the captain's wife is on board, and that such lax discipline could never again take place because you had wisely resolved to leave Mrs. Flinders with her relations.

I really wish you had given me a detail of these circumstances in your letter of the 3rd, and I also wish you had answered my letter respecting the distribution of the mess-money. On both these subjects, however, I shall leave you to your own decisions. I think, however, that your character would have been better supported yesterday had I known from you what had happened, and I think, unless much caution on your part is taken, the distribution of the mess-money hereafter may produce consequences not very agreeable.

Pray let me hear from you without delay particularly whether it is finally resolved that the ship must go into dock, which I conclude will be the case.

I am, &c.,

JOS. BANKS.

CITIZEN OTTO TO LORD HAWKESBURY.

Milord,

Londres, 16 prairial an 9, 5 juin 1801.

Passport for Flinders.

J'ai l'honneur de prévenir V. Ex^{ce}. que conformément à la demande que vous m'avez adressée, j'ai reçu aujourd'hui un sauf-conduit pour la corvette *l'Investigator*, commandée par le capitaine Flinders.

N'ayant pu faire connoître à mon Gouvernement le poids en tonneaux de ce bâtiment, le nombre des personnes qui en composent l'équipage ou qui y seront embarquées, l'espèce ou la quantité de son artillerie, je prie V. Ex^{ce} de vouloir bien m'adresser ces renseignements pour que je puisse remplir les blancs du passeport et avoir l'honneur de vous le remettre sans délai.*

J'ai l'honneur d'être, etc.,

OTTO.

EX-GOVERNOR PHILLIP TO GOVERNOR KING.

Dear King,

Lympington, 5th June, 1801.

Phillip's cattle.

You will not forget that before you left England I gave you a full power to take possession of, and dispose of, as your property, my claim on, and share in, the cattle running wild in the woods and two cows belonging to me, having stray'd with the cows belonging to the Crown.

Yours, &c.,

A. PHILLIP.

* The text of the passport was published by Flinders in his "*Terra Australis*," vol. i, p. 1

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.) 1801

H.M.S. Investigator, at Spithead,

6th June, 1801.

6 June.

HAVE this moment received your letter, Sir Joseph, of yesterday.* The information you received at the Admiralty mortifies me much, but I hope to take off from the anxiety which you are kind enough to express for me and for the ship.

Flinders
and the
Admiralty.

The chart of the channel supplied me by Arrowsmith, published by J. H. Moore, was the principal cause of the ship having touched the ground, from not having a sand laid down in it called the ear. The water was perfectly smooth during the short time that the ship hung, and I do not know that she has suffered one particle of injury; it is the opinion of the carpenter of the ship that she is not. Finding so material a thing as a sand 3 or 4 miles from the shore, unaided down in the chart, I thought it a duty incumbent upon me to endeavour to prevent the like accidents from happening to others by stating the circumstance to the Admiralty, and giving the most exact bearings from the shoal that our situation would enable me to take, with the supposed distance from the land. It would have been very easy for me to have compressed every part of the circumstance, and thus to have escaped the blame which seems to attach to me, instead of some share of praise for my good intentions. I hope it will not be thought pre-emption in me to say that no blame ought to be attributed to me. I had left orders for the lead to be kept going, and not 10 minutes before the ship touched the land was reported to me to be 6 miles distant, where, instead of a shoal in the chart, 10 and 12 fathoms are marked. The Admiralty do not seem to take it into consideration that I had no master appointed, who ought to be the pilot, or that having been constantly employed myself in foreign voyages, I cannot consequently have much personal knowledge of the channel. In truth, I had nothing but the chart and my own general observation to direct me; and had the former been at all correct, we should have arrived here as safe as if we had had any number of pilots.

A sandbank.

Flinders
reports its
bearings.

The Investi-
gator
aground.

The chart
faulty.

After what is said above, no idea of a necessity for docking can gain, or ought any fear to be entertained about the Investigator's account of having touched the ground. She is certainly not a strong ship, but we cannot think her any weaker now than before.

No need for
docking.

My surprise is great that the Admiralty should attach any blame to me for the desertion of three men from the Advice brig, which is the next point in your letter, Sir Joseph. These men were, among others, to the brig, by order of Admiral Græme. When her it was that they absented themselves, and I reported to the Admiralty. I had been so particular as to send with the

Deserters.

* Ante, p. 383.

- 1801
6 June. men a request to the commanding officer to permit none of them to go on shore, and Lieut. Fowler pointed out to him such of them as might be most depended on to go in boats upon duty. Nothing more could have been done on our part to prevent desertion, and if blame rests anywhere it must be upon the officers of the *Advice*. The three men were volunteers for this voyage, but having gotten on shore with money in their pockets, did most probably stay so long that they became afraid to return.
- Escape of a deserter. The carpenter in the *Trent*, frigate, did certainly leave the Investigator in the Downs. We received him for a passage to Spithead by the order of Admiral Graeme, and in the list sent with him he was called a deserter, but he did not come to us as a prisoner, or was any charge of any kind given with him. I refused him permission to go on shore in the Downs, but he had the audacity and address to run up as the boat was shoving off, and call to the mate, who had charge of the boat, saying he had my permission to go on shore, and he was taken into the boat accordingly. I knew not of his being out of the ship until the return of the boat without him, but I then immediately wrote to Admiral Lutwidge, inclosing the list and description of him, that he might be retaken before he left Deal. This letter was forwarded to the Admiralty, and thus a circumstance was brought into notice which had the report passed through the common routine only, might have remained unnoticed. The ship was moored in an English roadstead, which will account for a midshipman having charge of the deck.
- Circumstances of his escape. The mess money. The distribution of the mess money, Sir Joseph, is a point that I have anxiously wished to have your further advice upon, and it was the expectation of being very soon able to ask it personally that has prevented me from writing upon this subject lately. I have made no division yet, or do I intend to do it without further advice. I have, indeed, let Mr. Bauer and Mr. Brown have £40 each, which must be within their portion, but they have advanced £80 each on the mess account. The remaining part of £600 is still in my hands.
- Division of the mess money. By your letter, Sir Joseph, of May 11, I judge that my proposal of the division by letter of the preceding day was not sufficiently clear, since according to your answer the four gun-room officers will receive not quite half of what the four scientific gentlemen would, whereas my intention was to explain that the gentlemen should be put upon the exact footing of lieutenants, and that the whole division should be according to the usual custom in the East Indies, for as many years as the sum might last out.
- The gardener and miner. By Mr. Ramsay's* letter I find that the gardener and miner are not included in the £1,200, but they are to receive the extra 40 guineas first ordered, but which is not yet drawn for, as far as I know. To the 40 guineas I would wish to make such an addition

* Secretary to the Court of Directors of the East India Company.

on the £1,200 to the gardiner and miner as to make their rations equal to half that of commissioned officers, if it meets the general approbation ; but if the E.I. Company, or some competent person, would take the trouble to regulate the division entirely, it could be very acceptable to me.

The present length of this letter requires many apologies, and as it should be concluded immediately. I shall, therefore, only lightly touch upon two other points—the discipline of the ship, and the cause for not having before mentioned the above various circumstances to Sir Joseph Banks.

On the first subject it is only a duty to myself to assert that the discipline and good order on board the Investigator is exceeded in very few ships of her size, and is at least twice what it was under her former commander. I beg to refer to Lieut. Fowler on this subject, who knows the ship intimately, both as the Xenophon and Investigator. On the last subject I excuse myself from not having thought the occurrences of sufficient consequence to trouble Sir Joseph with, and it was what I least suspected that my character required a defender, for it was in my power to have suppressed almost the whole of those things for which I am blamed ; but I was not ashamed of them, and I had the good of the service sufficiently at heart to make the reports which brought them into light.

That the Admiralty have thrown blame upon me, and should have represented to my greatest and best friend that I had gotten the ship on shore, had let a prisoner escape, and three of my men in away without adding the attendant circumstances, is most mortifying and grievous to me ; but it is impossible to express so adequately as I feel the anxious concern with which you took the part of one who has not the least claim to such generosity ; but as I to enter upon this subject, I should write to all eternity. I shall, therefore, only say that with the highest respect, gratitude, and esteem,

I am, &c.,

MATTW. FLINDERS.

FROM JOSEPH BANKS TO COMMANDER FLINDERS. (Banks Papers.)

Dear Sir,

June, 1801.

— June.

I have at last had a long conversation with Mr. Nepean on the subject of the charges brought against you, and have pleaded your cause I hope effectually. The questions that remain not quite cleared up are why was not the lead going when the ship went ashore, and why was there not an officer in charge of the quarter deck at the time the prisoner escaped. You tell me that the man was not delivered into your charge as a prisoner. If this so I advise you to state the fact to the Board, who will call upon the Port Admiral for an explanation.

1801

6 June.

Discipline on
the Investi-
gator.

Flinders and
Banks.

Suppression
of details.

Flinders and
the Admir-
alty.

1801

— June.

The Investigator to touch at Madeira.

Division of the batta money

I have proposed to the Admiralty to give you leave to touch at Madeira for wines and [as] they have consented, I conclude you will sail in a very few days. You wait now merely for the adjustment of the manner of filling up blanks in the passport, which cannot take many hours whenever it is set about.

Respecting the division of the batta money allow'd by the India Company, my advice is that the voyage be considered, for the purpose, as a four years voyage, in which point of view the usual allowance will stand as follows :—

For the cabin, £150 × 4	£600
For the gun-room, £80 × 4	320
Miner and gardener, £10 a year each	80
	<hr/>
	£1000

The Captain's allowance.

In this case the surplus £242 will be indeed little enough to allot to the cabin for 4 extra passengers who were particularly noticed by the Court of Directors as intended to have a share in the bounty of the Company, and sure it cannot be said to be wrong that a captain who has received four gentlemen as passengers in his cabin for the good of the service should have £210 a year allotted to his table to which he will invite the officers of the ship just as usual, when, if alone, he would have had £150; and as the mess account must commence from the time a mess was first held on board, I cannot but think that the ship will not return in less than four years from that time.

A misunderstanding.

I understand some little difference of opinion has taken place between you and the scientific men respecting the assistance they are to give you during the course of the voyage. On this subject my opinion is as follows :—

The astronomer.

The astronomer I apprehend is instructed to give you on all occasions the results of his observations for the use of the ship, and of constructing charts which will be drawn by you. In the

The naturalist and painters.

case of the naturalist and the painters it is different. They have no instructions to communicate, for as it cannot be determined till the ship returns home what part of their works ought to be inserted in the general narrative, it would be to occupy their time, which will be well fill'd up, in an useless manner if they were called upon to transcribe or otherwise employ themselves than in making original observations and drawings. All they are expected to do is to deposit at Sydney such things as they do not want to carry about with them, and to send home such things as they chuse to send home when you send your dispatches to Government.

Farewell.

My paper is exhausted, and I have little more to say. I therefore put an end I hope to our correspondence for some months, concluding you will sail immediately, and with sincere good wishes for your future prosperity, and with a firm belief that you will in

our future conduct do credit to yourself as an able navigator, and to me as having recommended you, and conclude with sincere esteem and real regard. 1801 — June.

Yours, &c.,

JOS. BANKS.

Pray give my best wishes to Mr. Brown, Mr. Crossley, Mr. Lauer, and Mr. Westall, and my countryman Mr. Fowler.

GOVERNOR KING TO LIEUT.-COLONEL PATERSON. (King Papers.)

Dear Sir,

Sydney, 8th June, 1801.

8 June.

It being my intention to send the Lady Nelson to survey and examine Hunter's River, and the Service not permitting me to be absent from this settlement, I am much gratified by your offer of going in that vessel, and making such observations as may be of public benefit to this colony. Survey of Hunter River.

I have directed Lieut. Grant to accommodate you in the best manner the brig will allow of, and to give you such assistance as you may require.

I enclose you a copy of my orders to Lieut. Grant, together with the object of inquiry I wish to be informed of respecting that place,* and I have to request your information on those points on your return to this place.

I am, &c.,

PHILIP GIDLEY KING.

TRANSPORT COMMISSIONERS TO MASTERS OF THE CONVICT SHIPS, MINORCA, CANADA, AND NILE. (King Papers.)

Sir,

Transport Office, 8th June, 1801.

It being absolutely necessary that the ship under your command should be furnished with a sufficient number of scrapers, and everything proper for keeping the vessel sweet and clean, the better to preserve the health of the convicts and passengers during the voyage to New South Wales, we desire that every requisite article of this nature may be laid in previous to the vessels sailing, and we inform you that you are every day, when the weather will admit of it, to cause a proportion of the convicts to be brought upon deck for the benefit of air, and see that their births be properly cleansed and ventilated. You are carefully to note these particulars in your log-book, which you are to produce to the Governor of New South Wales upon the landing of the convicts upon oath if required. A certificate must be produced at the office upon the return of the ship, setting forth that the Governor is satisfied with your conduct, particularly as to what relates to the Sanitary measures on transports.

Exercise and sleeping quarters.

The Governor's certificate.

* The enclosures were copies of instructions to Lieut. Grant, post, p. 390, and Governor King's memorandum, post, p. 391.

1801
8 June.
—
A prospective bonus.

virtualling and treatment of the convicts upon the voyage, upon the production of which you will be recompensed for your assiduity and humanity by a present in money, at the discretion of the Secretary of State. On the other hand, for any neglect in performing these essential duties, you will be prosecuted with the utmost severity,

We are, &c.,

RUPERT GEORGE.
JOHN SCHANCE.
WM. AY. OTWAY.

TRANSPORT COMMISSIONERS TO THE SURGEONS OF THE CONVICT SHIPS, MINORCA, CANADA, AND NILE. (King Papers.)

Sir, Transport Office, 8th June, 1801.

Surgeons' diaries.

Health of convicts and crew.

To submit diary to Governor.

A gratuity.

We inform you that you are to keep a diary during the voyage to New South Wales, not only relative to the sick and medicines, but also to the daily number of convicts admitted upon deck, to the times when the decks were scraped, the ship fumigated, the births cleansed and ventilated, and all other circumstance which may either immediately or remotely affect the health of the crew or convicts. No reward will be given to you in case of your omission to state these particulars. You are to show your diary to the Governor upon your arrival at New South Wales, for his examination upon oath, if required, and to receive a certificate from him that you have done so, and that your duty has in every respect been properly performed, on the production of which you will be recompensed for your assiduity and humanity, by a present in money, at the direction of the Secretary of State. On the other hand, any neglect in performing these essential duties will not fail to be properly noticed.

We are, &c.,

RUPERT GEORGE.
JOHN SCHANCE.
WM. AY. OTWAY.

GOVERNOR KING TO LIEUTENANT JAMES GRANT. (King Papers.)

9 June.

Instructions.

9th June, 1801.

Survey of Bass Straits deferred.

Hunter River.

As the winter is now advancing, which renders it unsafe for the Lady Nelson being sent to renew the survey of Bass's Strait and the south-west coast of this country until the spring, and as the surveying Hunter's River, lying between this place and Port Stephens, is of the utmost consequence to be ascertained,—you are hereby required and directed to receive Lieut.-Col. Paterson and the persons on board, as per margin,* bearing them on a supernumerary list for provisions, and proceed without loss of time to Hunter's River, for which place you are provided with

* These persons were—Ensign Barrallier, Mr. J. Harris, six soldiers, two marines, pilot, a miner, and one native.

a pilot. When arrived there, you will give every assistance to Ensign Barrallier, in making as complete a survey as possible of the entrance and inside of that river, its shoals, depth of water, and every other particular, as pointed out by the second paragraph of your former orders.

1801

9 June.

A complete survey to be made.

You will take under your command the Francis, colonial schooner, and cause her to be laden with the best coals that can be procured; and should that vessel be laden before the survey is completed, you will dispatch her to this place without loss of time.

The Francis to be coal-laden.

If the weather will admit of your going into Port Stephens, which Lieut.-Col. Paterson is desirous of visiting, you will make every observation on that place, as well as Hunter's River, agreeable to the second paragraph of your former instructions and the directions added to this instruction. As the Service will require your returning to this port by the first of August, you are not to make a longer delay, delivering me a journal of your proceedings, and such specimens as you may be able to collect, as pointed out by your orders from the Duke of Portland, and my instructions of March 5th.

If possible to visit Port Stephens.

Given, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

MEMORANDUM BY GOVERNOR KING. (King Papers.)

9th June, 1801.

OBJECTS to which Governor King requests Col. Paterson, Lt. Grant, and the other gentlemen going in the Lady Nelson to Hunter's River will pay a particular attention.

Observations to be made respecting Hunter River.

THE nature of the soil in general.

Whether the grounds are overflowed, either by high tides or by land floods.

Whether the place may be thought healthy or unhealthy on account of the mud banks which I am told surround the sides of the river.

If the water is sweet and good.

The size of the trees and whether there is plenty of timber for building, stone, lime-stone, or shells.

How far it may be practicable for vessels to frequent that port with safety, the quantity of coals that may be procured there, the facility of procuring them, and what proportion of labour would be necessary to keep a supply ready for vessels going thither for that article. To assist the gentlemen in forming an idea on this head, a miner who has been there before will accompany them.

To examine where the most eligible place would be to form a settlement, both with respect to procuring coals and for agricultural purposes.

A site for a settlement.

PHILIP GIDLEY KING.

1801

GOVERNMENT AND GENERAL ORDER.

9 June.

9th June, 1801.

Exploration
of Hunter
River.

As the Service will admit of Lieut-Colonel Paterson and Mr. John Harris, of the New South Wales Corps, being absent for a short time from head-quarters, and these gentlemen having expressed a wish to accompany Lieut. Grant in the Lady Nelson, going to survey and examine Hunter's River, the Governor is much gratified with the public advantage likely to result from their joint directions.

PHILIP GIDLEY KING.

LIEUT.-COLONEL PATERSON'S COMMISSION.*

George R.

George the Third, &c., greeting :—

9th June, 1801.

Lieutenant-
Colonel
Paterson
Lieutenant-
Governor of
N.S.W.

WE, reposing especial trust and confidence in your loyalty, courage, and experience in military affairs, do, by these presents, constitute and appoint you to be Lieutenant-Governor of the settlement within our territory called New South Wales, in the room of Colonel Francis Grose. You are, therefore, as Lieutenant-Governor, to take the said settlement into your care and charge, and carefully and diligently to discharge the duty of Lieutenant-Governor thereof, by doing and performing all and all manner of things thereunto belonging; and we do hereby strictly charge and require all our officers and soldiers who shall be in our said territory, and all others whom it may concern, to obey you as our Lieutenant-Governor thereof; and you are to observe and follow such orders and instructions, from time to time, as you shall receive from us, our Governor of our said territory for the time being, or any other your superior officers, according to the rules and discipline of war, in pursuance of the trust we hereby repose in you.

Given, &c.,

By His Majesty's command.

PORTLAND

MAJOR FOVEAUX'S COMMISSION.

GEORGE R.

George the Third, &c., greeting :—

9th June, 1801.

Major
Foveaux
Lieutenant-
Governor
of Norfolk
Island.

WE, reposing especial trust and confidence in your loyalty, courage, and experience, do, by these presents, constitute and appoint you to be Lieutenant-Governor of Norfolk Island into your care and charge, and carefully and diligently to discharge the duty of Lieutenant-Governor thereof, by doing and performing all and all

* This Commission and that which follows it were received by Governor King and promulgated in a General Order dated 15th December, 1801.

anner of things thereunto belonging; and we do hereby strictly
 rege and require all our officers and soldiers who shall be in our
 island, and all others whom it may concern, to obey you as our
 tenant-Governor thereof; and you are to observe and follow
 orders and instructions from time to time as you shall
 receive from us, our Governor of our territory of New South
 Wales and the islands adjacent for the time being, or any other
 superior officer, according to the rules and discipline of war,
 in pursuance of the trust we hereby repose in you.

Given, &c.

By His Majesty's command,

PORTLAND.

1801

9 June.

MAJOR-GENERAL BROWNRIGG TO UNDER-SECRETARY KING.

Sir,

Horse Guards, 9th June, 1801.

The Commander-in-Chief wishing that the Duke of Port-
 land should be made acquainted with what has been said to
 him at Colonel Paterson, commanding the New South Wales Corps,
 the subject of Brevet-Major Johnston, has commanded me to
 transmit to you for that purpose copy of my letter to the Lieut.
 Colonel.* And as it will rest with Governor King to convene the
 General Court-Martial for the trial of Major Johnston, His Royal
 Highness desires that you will be pleased to submit to His Grace
 the expediency of officially communicating to the Governor that
 copy of my letter to Lieut.-Colonel Patterson, which is founded on
 confidential communication with Sir Charles Morgan, relative
 to the cautious selection of the officers who are to compose the
 Court-Martial.

I have, &c.,

ROBT. BROWNRIGG.

[Enclosure.]

MAJOR-GENERAL BROWNRIGG TO LIEUTENANT-COLONEL PATERSON.

Sir,

Horse Guards, 9th June, 1801.

I have had the honour to receive and to lay before the Com-
 mander-in-Chief your letter of the 3rd October last† with its several
 enclosures, and I have received His Royal Highness's commands
 in reply to the subjects thereof in the order they occur.

The Commander-in-Chief, considering the removal of Brevet-
 Major Johnston, of the New South Wales Corps, to this country
 for the purpose of being tried by a General Court-Martial, extremely
 sensible, was pleased to refer the matter (in a legal point of view)
 to the opinion of the Judge-Advocate General, and the same having
 been received, it decidedly appears that officers are not at
 liberty to refuse being tried by General Courts-Martial in New

The Horse
Guards and
Major
Johnston.

The Court-
Martial.

Paterson's
correspond-
ence.

The trial of
Brevet-
Major John-
ston.

* This letter is printed as an enclosure.

† This letter is not available. There is, however, a letter from Paterson to Banks of 8th
 Decr, 1800, ante, p. 228, in which he refers to the Court-Martial on Major Johnston.

1801

19 June.

Folly of
sending him
to England.

South Wales, the Legislature having made provision for the holding of such trials in that, as in other distant colonies and stations occupied by His Majesty's forces.

And I am commanded to acquaint you that the measure of removing Major Johnston from the place where the offence was committed, and where all the witnesses capable of giving testimony or of throwing light upon the subject are, and sending him to another country to be tried, where no competent evidence can be had, appears to His Royal Highness to have been extremely mistaken, and to admit of no other means of terminating the matter by a judicial decision than by remanding Major Johnston to New South Wales immediately, and being there tried by a General Court-Martial as was originally intended.

Johnston
sent back.

I am, therefore, to acquaint you that the Commander-in-Chief has been pleased to order that Major Johnston be sent back to New South Wales by this opportunity for the purpose of being tried accordingly.

Care in
selecting
members of
Court.

I am here directed to state, for your information, that the Judge-Advocate General has suggested that the Commanding Officer, under whose order the Court-Martial will be convened, should be specially enjoined that such officers be carefully appointed for composing the same who are as free as possible from any imputation or surmise of being in any respect prejudiced; and that the two original charges should be amended by ascertaining, as nearly as may be, the dates of the alleged offences.

The third
charge to be
withdrawn.

The Judge-Advocate General observes with respect to the 3rd or supplemental charge, which imputes to Major Johnston a disobedience of an order delivered to him after he was in arrest, that he would not recommend its being referred to the Court-Martial. The order was for Major Johnston delivering up an account which had been kept by him to you, who are his accuser. It may have been unwise in Major Johnston to decline it, or the manner of declining it may have been unbecoming; but it is not clear that it is criminal to refuse delivering it out of his own custody. His causing it to be sealed up, in order to its being produced in its present state when an hearing should take place, may have been very defensible and just.

Captain
Prentice to
return to
duty.

I am further directed to acquaint you that in consequence of Gov'r Hunter having ordered Capt'n Prentice to embark for this country without communicating with you on the occasion, or having assigned to the Commander-in-Chief the necessity that caused this measure, His Royal Highness has been pleased to order that Capt'n Prentice shall return to his duty with the regiment by this opportunity.

Augmenta-
tion of
Corps.

In regard to your proposal for augmenting the military force in New South Wales, I am commanded to acquaint you that the measure will be taken into consideration.

On the subject of Lieut. Cummings, I am directed to refer you to my letter of the 16th ultimo, acquainting you that His Majesty was pleased to permit the sale of Lieut. Cumming's commission in August last, and directing that he should be sent from the Corps by the first opportunity.

1801

9 June.

Lieutenant
Cummings.

In regard to Lieut. Hobby, the Commander-in-Chief is pleased to permit him to withdraw his resignation, since you have requested it.

Lieutenant
Hobby.

Mr. Barrallier, whom you mention to have been recommended by Mr. Charles Greville for a commission in the New South Wales Corps, was appointed on the 14th August last. There is not at present any vacancy in the Corps for Mr. Anderson. When there is, attention will be paid by His Royal Highness to your recommendation of him.

Ensign
Barrallier.

I have, &c.,

ROBT. BROWNEIGG.

EX-GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

My Lord Duke,

London, 10th of June, 1801.

10 June.

From the probability that your Grace's time being engag'd with concerns of too much importance to admit of my having an audience of sufficient length to go into the impositions which have been attempted upon your Grace to my injury, I have judg'd it necessary to trouble you with this, for no other purpose than to point out the necessity, as well as the justice, of some inquiry into the whole of my management of the affairs under my direction; that my correspondence upon the concerns of that distant colony may be recurr'd to and consider'd; and that the various orders and regulations publish'd by me in that country may be thoroughly examin'd and understood, in order that my reputation as an honest man, my integrity as an officer in His Majesty's service, may receive that justice which the wretched attempts made to disgrace it renders necessary; and that those attempts may be clearly seen into, as well as that I may understand from facts who the calumniators of my character have been—a character which I presume to say was never (untill I held an office which was coveted by others who probably possess'd more interest) in the most distant degree even suspected of anything either mean, dishonorable, or disgracefull.

Charges
against
Hunter.He applies
for an
inquiryto enable
him to vin-
dicate his
character.

The manner of my recall from the Government of New South Wales will no doubt be consider'd by all who may have heard of it so mark'd a reflection upon my general conduct in the management of the arduous and difficult task I had undertaken when that colony, with all its perplex'd and complicated concerns, fell into my hands, that not only my private character as an upright and conscientious man, but my public reputation as an officer of long standing in His Majesty's naval service, is most particularly

The manner
of his
recall.

1801
10 June.
Necessity
for an
exhaustive
inquiry.

effected—to that degree, indeed, that in justice to myself, I must repeat my intreaty; and I confidently trust in the opinion I have ever entertain'd of your Grace's justice, that some enquiry made into the conduct observ'd by me, as well as that follow'd by other officers employed on the service of that colony, from the commencement of my command untill the day of my departure. By these means I may have it in my power to shew your Grace who appear to me from the way in which I have been order'd home, and, notwithstanding my official correspondence, to have been an intire stranger to the embarrassments I have had to contend with, and to have been thro' some means which I cannot at present understand or discover, deceiv'd relative to my conduct by scandalous, anonymous, and interested informations.

Hunter
desires no
favour.

I have no desire, my Lord, to claim aid or support from any powerful or superior interest; I ask only common justice. I feel nothing to accuse myself of, but a want of knowledge in some probably necessary official forms upon which I cou'd have been instructed; I desire to stand or to fall by my own actions. They have been such in that wicked, profligate, and abandoned colony that were they known to your Grace, and to the whole world I need not be ashamed of them. I am of opinion had they been more clearly understood I shou'd have been found to have merited commendation, instead of the treatment I have experienc'd. I must beg leave to repeat, my Lord, that were my administration of the Government of that remote settlement, with all the difficulties under which I have labor'd for so many years, made known to the world, it wou'd satisfy your Grace how unmerited has been that treatment on my part. I am well satisfy'd, my Lord, that I have had occasion'd by the deceit which has been practis'd to forward the interests of some others, otherwise I am sure I shou'd have had no cause to complain.

Willing to be
judged by
his actions.

An anonymous
letter.

Your Grace will, probably, recollect an observation I made in my separate letter of the 5th Jan'y, 1800,* relative to an anonymous letter from that country, which had been seen at some of the public offices, and which you was so good as to order it should be sent me.

Hunter's
suspicions.

The observation I allude to was, that your Grace may be assur'd there is something at the root or foundation of those representations relative to me that your Grace cou'd not possibly discover or even suspect, but that I wou'd endeavour to learn and I have now, my Lord, some cause for suspecting from whence they have arisen. I must, my Lord, take the liberty of trespassing a few moments on your Grace's time to observe that upon the arrival of the officer who deliver'd to me your Grace's dispatches by the Speedy, and who is appointed to take the command after my departure, I consider'd it my duty to give him every information in my power, which might enable him

The arrival
of Lieut.-
Gov. King.

commence his authority with the better effect upon my quitting the executive government, in obedience to His Majesty's command, as signified to me by your Grace. I shou'd have made him acquainted as well with men and characters as with customs and other things necessary to be known in that colony; but, my Lord, he appeared, and not to me only, either to have been in possession of some extraordinary secret or confidential instructions* (a circumstance which indeed he had not hesitated to say was the case), or had himself some particular objects in view which I cou'd not clearly comprehend, whether favorable or injurious to me I shall leave you, my Lord, to determine from the following paragraph in his first letter to your Grace from that country, and which letter was sent to me for my perusal, no doubt as a duty on his part, but perhaps to show his candor and probably to alarm me; but, my Lord, unconscious of having at any time done wrong during my command in that territory, I was not to be alarmed. A retrospect of my whole conduct satisfied my mind upon that score. I had nothing to fear from his objects and insinuations, or those of any man living, where truth is to be obtain'd:— "Agreeable to your Grace's direction, I have to inform you that the Friendship is the first safe conveyance that has offer'd since my arrival; but the time appearing too short for Governor Hunter to arrange his business, he informs me it is his intention to take his passage in the Buffalo, Colonial ship, and to sail about August 1. Perhaps no other safe conveyance may occur before that period; but shou'd His Majesty's commands for Governor Hunter's return by the first safe conveyance not be attended to, which I have no reason to suppose can or will be the case, I shall not fail to follow my instructions."

1801

10 June.

Secret instructions.

King's first letter home.

An objectionable paragraph.

How far this paragraph became really necessary on his part, or what he propos'd to himself by the introduction of it, I pretend not to know. I took no immediate notice of it, but forwarded the letter with my despatches by the Friendship (via Bengal).

Hunter's attitude.

In due time, subsequent circumstances having given me cause to consider my consequence effected and my authority invaded in a way which as Commander-in-Chief I could not suffer to pass without notice (he had thrown himself into the arms of that very party or faction whom he and the whole colony knew had been uniformly opposing my best exertions for the general good, and because my endeavours interfer'd with their private dealings). I demanded an explanation of this extraordinary paragraph several different times, but he constantly evaded informing me of its meaning or necessity. I shall only observe, my Lord, that the natural

His authority invaded.

He demands an explanation.

* In this Hunter was wrong. From Governor King's letters to the Duke of Portland and the Under-Secretary of the Home Department, it appears that the only instructions he possessed were verbal ones received from the Under-Secretary prior to departing from London, and such as he could glean from Hunter's own Commission and Instructions—ante, pp. 183, 190, 208.

1801
10 June.

An attempt
to disparage
him.

Apparently
made by
King.

A thankless
task.

Hunter's
objects and
ambition.

His devotion
to duty.

moderation of my temper, which in this instance has been not
little tried, and my consideration for the service of His Majesty
situated as I found myself, have in this particular case indu-
me to act with less formality, strictness, or severity than I
of opinion the public service would have justified me in on
such an occasion. I take the liberty of now appealing to your
Grace's wisdom whether I am not warranted in considering this
as an attempt to stamp upon your Grace's mind an impression
unfavorable to that promptitude and obedience to the commands
of His Majesty which it is my indispensable duty to shew, and
has ever been my pride to practise. If this unaccountable step
will bear the construction I see but too much cause to apply,
is certainly a most wretched attempt against an officer who has
served so long and so faithfully, and whose character is so much
better known in his professional service than the man who has
ventured to make it, and who but a few years past served as
subaltern officer under my command.* Let me assure your Grace
of a truth which I have already declared in other letters—that
the honor of holding such a commission as I have now held for
wards of seven years is all the advantage I have yet derived from
that respectable situation, and the fatigues I have suffered, both
in body and mind, since my residence in that colony are well
known there, and are sufficient proofs that it can have no charms
no allurements for me, but that honor and a constant desire
show my zeal for the King's service. To say, my Lord, that I have
had any other motive or object but those I have stated would
declaring what is not truth; but I could not, my Lord, submit
be driven by artful difficulty from my office. I only desired that
when I did retire it might be with some mark of His Majesty's
approbation of my conduct and services, and with the good
opinion of your Grace. Those were my objects, my Lord, and
doubt not I shall obtain them if an investigation shall be per-
mitted to take place, notwithstanding the treacherous and deceitful
full representations which have been so industriously pressed upon
your Grace's office for the purpose of robbing me of that honor
and satisfaction. All this, my Lord, I might have avoided, and like
other officers in that colony have rendered myself an independent
man, but it must have been by a sacrifice of my duty as well
my character; of my duty, in a lavish waste of the public stores
gratify individuals, by countenancing the disgraceful trade and
speculations of those individuals; and of my character, by par-
ticipating in those mean transactions which have already too much
dishonored His Majesty's commission in that country. I have

* In marked contrast to this part of Hunter's letter, is King's first despatch after arrival
office, in which he states that he had "every reason to believe that his (Hunter's) pre-
conduct has been guided by the most upright intentions, and that he has been most dis-
tressingly deceived by those on whom he had every reason to depend for assistance, information
and advice."—Ante, p. 170. See also King to Banks, ante, p. 206.

brought to England with me several officers from New South Wales—civil, military, and naval; to them I beg to refer your Grace for information. I trust and have no doubt they will speak their sentiments like men of honor and veracity, and afford your Grace a knowledge on those facts which it is high time you should possess, and which will enable you to render that justice which I am thoroughly persuaded your Grace has at all times pleasure in showing. My reputation, my Lord, which is more to me than any other consideration, has been most treacherously assassinated; and those cowardly endeavours have found encouragement in the apparent credit given to such vile and scandalous insinuations. My character will suffer in the opinion of the world by the manner of my return, unless justified by your Grace's interference. It becomes a duty I owe to that character to request that my conduct may be thoroughly and correctly understood by your Grace by such means as you shall consider the most impartial, and thro' your Grace made known to His Majesty. I wish that the officers who have return'd with me, or any others who can afford information, may be examin'd upon the conduct of the officers, the inhabitants generally, and the concerns of the colony. Instructions, my Lord, have been furnish'd to Lt.-Governor King, founded upon my suggestions to Government, but I have never been honor'd with any acknowledgement that they were rec'd or approv'd. I am glad, however, for the sake of the public service, to find they have been.

But as it is scarcely to be expected that your Grace, with so heavy a share of public business upon your hands, can recollect those parts of my public letters which were most material to me and to the concerns under my direction, it would be gratifying to me that any gentleman who may have sufficient leisure, and on whom your Grace can rely for a faithful report, should have the perusal of my letter-book, as well as of my Public Orders and Regulations. Your Grace would then more completely understand whether I am right or wrong in considering my office coveted and myself undermined thro' some superior interest and the deceit which has been practis'd to my injury.

I have, &c.,

JNO. HUNTER.

CONVICT SHIPS.

Portsmouth, 10th June, 1801.

INSTRUCTIONS for the masters and surgeons of the Canada, Minorca, and Nile, convict ships.

WHEREAS we consider it right and necessary to impose certain rules and to point out certain regulations for the health, good order, and regularity of those ships, and entertaining a just opinion of the judgement and capability of Sir J. Fitzpatrick, Inspector-Health of convicts.

1801

10 June.

Eye witnesses.

Hunter's reputation

sullied by his recall.

Asks for examination of officers

and of his letters and orders.

<p>1801 10 June. Health of convicts on voyage out.</p>	<p>General of Health, who has signified to us that the above-named transports are completely fitted by the Hon'ble Transport Commissrs, and supplied with every necessary requisite for the purposes of health and comfort for all persons embarked therein and intended to be conveyed to His Majesty's settlement of New South Wales, comprehending diet of various kinds, and suited to such changes as the constitution may undergo by the voyage and climate, as also with a proper selection of medicines; with the means of cleanliness of their persons, comprehending soap, combs, razors, and also those for fumigation, ventilation, scrubbing, cleansing, the perfect purification of and the convenient supply of water, together with every necessary for the hospital, including changes of bedding, sheeting, hospital cloathing, proper diet and drinks for the diseased and convalescent, and, in short, that no one matter is defective for the prevention or the remedies of disease; therefore, as considered necessary by the said Sir J. Fitzpatrick, we demand of you, and each of you, a strict adherence to the following obligations, and that you minute their observance in your log-book or diary, and report the same, with other matters as have been in a former direction enjoined on you by the Hon'ble Transport Board, to the Chief Governor of New South Wales, and reserve certified copies of the same for our inspection on your return :—</p>
<p>Cleansing and fumigat- ing.</p>	<p>1st.—You, the surgeon, are ever to keep in memory that cleanliness is the parent of health, and pure air is essential.</p>
<p>A diary to be kept.</p>	<p>2nd.—That heat, with moisture, are the favourers of putrefaction, forwarded by a stagnant state of the air; therefore, it is your absolute duty to promote the antecedent and prevent those matters comprehending under this head. Consequently you are to see that the between-decks, as well in the sleeping apartments as hospital, are kept in a perfect state of cleanliness, by sweeping and scraping them every day, and once a week at least by moistening the planks (if necessary) with wet swabs, so as to render it more easy to disengage in the scraping any matter which may foul them; but it is by no means intended to wash those decks or bed spaces in the usual manner, except where the air may have free access to carry off or remove the moisture, that being one of the agents of putrefaction. However, in such parts of the passenger's births where the air may have access they may be washed, but the bottom boards of all the births, as well those of the passengers, guards, as of the convicts, and also those in the hospital, shall twice a week be brought on deck, washed with salt-water, and dried before the laying of them again; and, without any excuse or apology whatever, the bedding of every of the aforesaid persons shall every day, or at such time of the day as is fair, be brought upon deck, there to be opened out and properly aired.</p>
<p>Cleanliness the parent of health.</p>	<p>3rd.—You shall attend to the proper trimming of the wind-sails, to the keeping open of the air scuttles, the working of the</p>
<p>The between- decks to be swept and scraped.</p>	
<p>Berths to be washed</p>	
<p>and bedding aired.</p>	
<p>The wind- sails.</p>	

air machines, the more particularly in calms, and to the purification when necessary of the water, according to the principles laid down for you by the said Sir J. Fitzpatrick. 1801
10 June.

4th.—It shall be your duty, in case of disease or great debility, to state to the master the necessity of removing the irons from any such convict, and to procure for all such as appear to you to require it, without attending to the regulated or stated times of airing, the privilege of coming on deck, which you may do with great ease and safety without interfering with the healthful convicts, as each of your hospitals has a passage to the fore-castle, which space should be reserved for the airing of the diseased or convalescent from infectious maladies, as the least possible communication should not be permitted between them and the actually healthful. Treatment of the sick.

5th.—It shall be your duty to take charge of the hospital clothing and sheets, &c., which shall be kept neat and clean, and to use them only as such, returning to those who were in the hospital their own cloathing previous to their being sent on recovery to their former births, not, however, without fumigating them with the vapour of burning brimstone and the oxygenec gas. You are also to have charge of a certain proportion of the wine, sa, sago, and other medical comforts for the diseased, for which you are supplied with a store chest. Hospital furniture and requisites.

6th.—You are in the most particular manner to attend to, and prevent the detention even for a minute of ordure or fetid matter of any sort, whether in the hospitals or privies (those being properly constructed if their frequent cleaning is attended to by the abes from the cisterns).

7th.—You are to see that the prisoners are at proper stated times, and in proper proportions, brought on deck every day accompanied, if fair, by their bedding), so that each person may be up twice in twenty-four hours; but you are strictly to enjoin that no one person on board, be he or she whom they may, shall wash the smallest article between decks, or even dry them there; or shall the vinegar be sprinkled in the usual manner between decks, but, to obtain all its sweetening, corrective, medicinal acid, shall, with a proper proportion of tar (which is also supplied), be exhaled every day by means of the heated loggerhead in the kettle, and the simple water or basis of the vinegar, which bears more than a proportion of twenty to one over the medicinal acid (which, when sprinkled, by establishing moisture, does much injury), is after such exhalation to be thrown away, and the use of the oxygenec gas, procured by nitre and the vitriolic acid, is to be reserved for the hospital and wherever infection appeared, and that of the sulphurous vapor is also to be used when and where it can be supported. Fresh air. Fumigation.

1801
10 June.
Antiscor-
butics.

Lastly, as you have a large supply of lemon-juice, sugar, sago, rice, oatmeal, peas, and bread, with a certain proportion of wine and tea, whenever you discover the necessity, whether from scorbutic habits, hectic febrile heats, or ulcers, should those arise, or any other matter which requires a farinaceous or corrective regimen, you are to state the same to the master of your ship, and so put any one or more of such subjects on a proper regimen, in room of the common ship's provisions, for which the master is to be credited; in all and every of which the master and his officers are hereby required and obliged to assist and support you.

PERHAM.

GOVERNMENT AND GENERAL ORDER.

10th June, 1801.

The detach-
ment at
Parramatta.

THE absence of Lieut.-Colonel Paterson * requiring the presence of the officer in command at headquarters, Captain Piper will take the command of the detachment at Parramatta till further orders.

A meeting
of officers.

The Judge-Advocate, Commanding Officer of the Regiment, Messrs. Balmain and Marsden, Magistrates, are requested to attend the Governor, at Government House, to consider the expediency of reducing the consumption of food, to guard against too great a want before the next harvest, or until supplies of salt meat may arrive.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO THE ADMIRALTY. (Banks Papers.)

11 June.
The
Investigator
docked.

Sir, Investigator, Spithead, 11th June, 1801.

In compliance with their Lordships' orders, given on the 8th instant, His Majesty's sloop under my command was taken into dock into Portsmouth Harbour yesterday, and is now returned to Spithead to wait their further orders. I am happy to add that she was found to have received no injury.

Yours, &c.,

MATTW. FLINDERS.

GOVERNMENT AND GENERAL ORDER.

11th June, 1801.

THE Governor is instructed to cause the following Orders and Regulations to be observed and enforced:—

Public
buildings.

The grants and leases of all buildings erected at the expense of the public in this colony are to revert to the Crown; also the grants and leases of all grounds allotted by Governor Phillip for public purposes; but the Governor for the time being may allow those to whom such buildings have been leased (and are not immediately wanted for the purposes they are erected) to occupy them during his pleasure. The same regulation is to be observed

* Lieut.-Colonel Paterson was at Hunter River with Lieut. Grant in the *Lady Nelson*.

setting the Crown lands (marked out as such by Governor Phillip), for the occupation of which (if not wanted for public purposes) leases may be given not exceeding the term of five years. The following regulations are made respecting the convicts sent to this colony, viz. :—

1801

11 June.

Crown lands.

The convicts being the servants of the Crown during their term of transportation, their labour is to be invariably appropriated to public benefit, and reducing the heavy expences of the colony. Convicts whose labour the Governor may assign the creditable inhabitants, who can employ them to advantage, either in cultivation or in necessary occupations, are to be of no expence whatever to the public.

Labour of convicts.

Assigned convicts.

The Governor for the time being is allowed such a number of convicts victualled from the stores as he may judge proper for his domestic purposes.

Servants of Governor.

Commanding officers of troops stationed in the colony to have convicts.

Commanding officers.

Civil and military officers commissioned and on the establishment, two convicts each.

Commissioned officers.

Officers doing duty as Magistrates, two convicts each.

Magistrates.

Freemen in places of trust, and also have no salary on the establishment, such allowance assigned and labour as the Governor for the time being may judge proper.

Not more than the labour of one female convict victualled from the store to be allowed each officer's wife.

Female convicts.

No other women than the wives of civil and military officers, and soldiers (who have never been convicts), are to be allowed a ration.

The list of articles and their prices sent by Government for the accommodation of the inhabitants being arrived by the Earl Cornwallis, that list will be published on the goods being landed.

Goods for sale.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

12th June, 1801.

12 June.

The Governor is much gratified that, notwithstanding the repeated inundations that have happened at the principal agricultural settlements, and failure of other crops belonging to individuals (which has destroyed a great quantity of grain), and the reduced state of the salt provisions, whereby it was expected that he would be under the necessity of reducing the established ration to half, yet he is happy to find, on a minute investigation of the grain now in the King's stores, that still in the grounds and the stores belonging to Government, also the quantities offered by individuals, together with the additional quantity of salt meat brought

Floods at the Hawkesbury.

Supplies of food.

1801 by the Earl Cornwallis, that (notwithstanding the addition of 272
 12 June. people arrived by that ship) it is in his power to fix the rations of
 all species except sugar to two-thirds of the full ration until next
 harvest, or that further supplies of salt provisions may arrive.
 The ration. The following ration is therefore to be issued till further orders,
 viz. :—

Wheat—Six pounds.
 Maize—Four pounds and a half, shelled.
 „ Six pounds and three quarters, in cob.
 Beef—4lb. 10oz.; or,
 Pork—2lb. 10oz.
 Sugar—Six ounces.

Grain from
 settlers.

As this calculation and ration is fixed on the faith of those who
 have offered the quantities given in to the Governor, they are not
 to fail delivering the quantities of grain they have offered into the
 stores immediately. Applications for orders to be made at the
 Secretary's office, at Sydney; the Rev. Mr. Marsden's, at Parra-
 matta; and Charles Grimes, Esq., at Hawkesbury, every morning
 between 9 and 10 o'clock.

— PHILIP GIDLEY KING.

14 June.

HUNTER RIVER.

14th June, 1801.

REMARKS, &c., on board His Majesty's armed surveying vessel, *Lady
 Nelson*, in Hunter River, 1801.

By LIEUT. GRANT, COMMANDER.

Entrance to
 Hunter
 River.

Sunday, 14 June, 1801.—Wind S.E. by E. to W.N.W. At 6 a.m. bore
 up and made all possible sail, the Coal Island* (an island in the entrance)
 N.N.W. 6 miles. At half-past 10 I went on shore with Dr. Harris, to
 examine the entrance, which we found very narrow. On the left-hand side
 going in was a reef of rocks from the island, with much heavy surf breaking
 on it; on the right was an extensive flat, with a tremendous roll of mad
 breakers over it. The channel in was troubled with much heavy swell,
 and did all but break, so that I hove the boats head round and pulled out
 again; sounded 5 fms. On considering the risk we run of bringing the
 vessel in without well ascertaining the channel, I pulled in, carrying from
 5 to 4 and 3½ fathoms close to the island. On our getting on shore we
 climbed up this steep island and hoisted a flag as a signal this was the
 right place. It was then the first of the ebb and calm; therefore has-
 tened on board and towed the brig in. At noon the Coal Island bore
 W.N.W. 3 or 4 miles. The latitude they observed in was 32° 37' 34" south.†

Sounding
 the channel.

Towing the
 vessel in.

Monday, 15 June, 1801.—Wind W. P.M.†—at half-past 1 a light air
 sprung up from the eastward, which with the boats ahead and sweeps
 enabled us to stem the tide, the Francis schooner towing in after us. On
 getting nearly abreast of the island and close to the reef, found the tide
 running so strong that we could not stem it. Let go the best bower, but not

* The Nobbys. † Probably a copyist's error for 32° 57' 34" S.

† Lieut. Grant in this journal followed the nautical method of reckoning time, i.e., the
 day commenced and ended at noon, e.g., 15th June would be from noon on the 14th to noon
 on the 15th civil time; hence it is that each day's entry commences with P.M., except in
 the case of the first day's record, which starts from daylight on the 14th, when of the
 river's mouth.

having room to veer out any scope of cable, found the vessel drift. Let go the small bower and brought her up. From the strength of the tide was obliged to steer the vessel to it. Warped the vessel under the island. Here we found the tide run very strong and in eddies, which I am of opinion is occasioned by the heavy surf which breaks between the main and the island meeting the outside surf, which must make this place a very unsafe roadstead for any vessel to lay in when it blows from the eastward, more especially as there is no room to veer out any scope of cable, nor ought any vessel to stop here unless necessity requires it. Let go at the strength of the tides during the night a second anchor under foot, and steered the vessel to it. At daylight weighed, it being low water, and towed up abreast of a saw-pit, where Mr. Meehan had laid during his stay here. Came too with the small bower within 30 yards of the shore in 3 fathoms water, and steadied with a warp fast to a tree; schooner in company. Here the native, which Dr. Harris brought off with him, as before mentioned, left us.

1801

14 June.

A dangerous roadstead.

Moored in the river.

Tuesday, 16 June, 1801.—Wind W. to N.W. P.M.—moderate and cloudy weather; employed occasionally. A.M.—rain with lightning; at daylight fair and cloudy. Colonel Paterson and I went on shore to examine the coals; took the miner with us. At the place where he had been before at work on, we found a strata of coal 22 inches thick, and of good quality. As this was on an elevated situation, and not very easy of access, we found at the foot of the hill and on the reef at low water, plenty of excellent coals in beds of different thickness. Made the necessary arrangements for setting the people to work.

The coal pits.

Wednesday, 17 June, 1801.—Winds W. to N.W. The Colonel and myself went to Ash Island to examine its situation, &c. Here we found plenty of different sorts of wood, and the ash trees of considerable magnitude in general with some very large ones interspersed, yet they are not so plenty as from the name of the island one is at first led to suppose. One of the woods (of which I brought on board a few lengths) much resembles the hickory in its present state, not only in its colour and close grain but its toughness. There are here several pithy woods, very light and white, with close grain, and some of the leaves of which sting like nettles. There are gum-trees, swamp-oak, the tea-tree, and mangrove in abundance.

Ash Island.

Timber.

Thursday, 18 June, 1801.—Winds W. to N.W. We walked a short distance inland, and found in the vicinity of the coal mines the soil black and good (with plenty of water at hand). It is mostly pasture land, covered with short grass, which would answer any sort of cattle but more particularly sheep. From its elevated situation it is dry and healthy, nor can it ever be overflowed as it rises high above the source of the river and shows a steep front to the sea, which in some places is rocky. There are also vallies sheltered from all winds and nevertheless well elevated, though it is to be understood that they are not of extensive magnitude, for they are only in the vicinity of the coal stratas, and I suppose might be comprised within the compass of six or seven hundred square acres. I am the more particular on this head from its being so near the sea, as the cold bleak winds are often as pernicious to some constitutions and vegetation in general as swampy confined damp grounds are, of which there are no scarcity in this harbour. After leaving this spot the ground gradually falls and gets more of a light, sandy soil, covered with brush and trees interspersed, until it reaches the hills, the nearest of which are of no great distance nor of any height. The low land all around this place is more or less subject to be overflowed, and is full of swamps, some of which are of considerable magnitude.

The soil.

Appearance of the country.

Friday, 19 June, 1801.—Wind W. We proceeded a considerable distance up an extensive arm, wherein there was deep water, but we found no passage for the vessel into it, as at the entrance there was barely water for arm.

An extensive

- 1801 the boat, with a rapid tide running. We proceeded to the opposite, or northern shore, and found it full of flats, some of which we were obliged to get out and drag the boat over. Between these flats are gullies of deep water, but without any regular channel. On the shore we found large banks of excellent shells, which lay in some places nearly three feet thick, washed up by the tides or floods, as also all the roots of the trees by the waterside stuck full of oysters. From this circumstance lime would be very easily got at this spot. Nevertheless, the oyster shells are to be found in abundance all round the harbour.
- Examining the entrance. Monday, 22 June, 1801.—Wind west. Colonel Paterson wishing to examine the island in the entrance, as from its appearance he expected to find coal in greater plenty, and perhaps superior quality, Mr. Barrallier and myself wishing to ascertain the soundings in the entrance, the weather being favourable for that purpose, we went together, taking the miner with us, and while the Colonel and miner examined the island, I sounded the entrance of this harbour. The strata which appeared like coal on the island proved to be of much inferior quality to those on the main which we had been digging, though at the foot of the island and on the reef were several beds of good coals: but these were covered with large stones which the flood and tide had rolled up and were overflowed every tide; therefore, however well it may appear to some that coals may be more easily got, and more expeditiously shipped from this spot, when I consider the risk run and the very small portion of labour saved, *if any there may be*, I am confident it will fall much short of giving that satisfaction which might be expected from such a measure, and one single accident (of which they are liable to more than one) might be of more serious consequence and greater loss than all the coals in this small spot are worth, more especially where they are to be had in abundance, *without risk*, within little more than musket shot of the same place. Having obtained the different points before mentioned, we returned and went to haul the sein. We observed a stranger making up to us, which we could perceive was none of our party.
- Coal on The Nobbys. A castaway. It proved to be a man named John Loft, who had been unfortunately wrecked out of a boat belonging to Underwood of Sydney. She was cast on shore to the north of Port Stephens. They were three in number, and he had been 32 days in travelling to this place from where she was wrecked. His other two companions, one he said was killed by the natives, the other eat a toad fish—which he complained of for some days—and died. He had a bag with a few small shell-fish on which he had chiefly subsisted. It was fortunate we were here, as I think it would have been impossible for him to have reached Sydney on foot. The emotions that he felt on meeting were much better imagined than described; the laugh and the tear had their repeated place in turns, and his first utterance was, “I am starving with hunger.”
- Tuesday, 23 June, 1801.—Wind, W.N.W. P.M.—strong breezes and clear weather. At sunset our different parties returned. Mr. Barrallier and the second mate having penetrated a little way into the woods, they met with a native which they brought on board with them. He was a little elderly man, strait made, and spoke not one syllable that was intelligible. He had all his fore teeth in, and spoke a jargon of simple sounds. As I particularly observed, few words that came from him were composed of more than one syllable. He could eat nothing; but two crows which some of the people had shot being given him, he stuffed them in the feathers and all, which after burning off, and heating them a little, he eat. In the morning, after using him kindly, the Colonel gave him a tomahawk which he seemed much pleased with, and shewed that he perfectly understood the use of it. He was put on shore near the place where they met him. On the return of the boat they informed me he was out of their sight in an instant.
- A native.

Sunday, 28th June, 1801.—Wind, N.W. P.M.—moderate and cloudy weather. At 4 p.m., the tide serving, we dropped up into the entrance of Paterson's River, and at 6 came too in 3 fathoms water for the night. At 7 in the morning we dropped up into 9 feet water, and was informed by the second mate, who was ahead in the boat sounding, that he had only 7 and 6 feet. I immediately brought up. In order the better to satisfy myself on this head, I went with Colonel Paterson in the boat at the top of high water, and found no more than two, three, and four feet at most, a little further above where our boat had been. We then returned, and sounded the other entrances to this arm, but found no more water, and in many places less. Judging that the vessel might touch at low water where she lay, the rise of the tide not being less than four or five feet, I got up the anchor and brought her back into two fathoms water, giving up the idea of getting further up this arm with the vessel. We moored with the kedge.

1801

14 June.

Paterson River.

Shoal water.

Saturday, July 4th, 1801.—Wind, S.S.W. I this day visited the coal miners, and found them hard at work. They had found a strata of coals nearly four feet in thickness and of excellent kind. It was entirely from side to side through the hill—that is to say, from the harbour side to the sea on the opposite side; and on the low side which faces the harbour the miner informed me they were not above ten yards down. This consequently will yield a supply of coals for a great length of time. The miner informed me they were equal to any bed of coals he had ever seen in England. I saw a lump of them. It was clear and transparent, free from earth and smut, and no doubt will answer for any use whatever.

The coal deposits.

Tuesday, 7 July, 1801.—Wind S.W. Previous to my leaving the ship I ordered Mr. Murray to visit the colliers frequently and see they did their duty, to haul the sein as often as possible in order to save salt provisions, and to salt as many fish as cou'd be spared.

Lieut. Murray.

Wednesday, 8 July, 1801.—Wind, S.W. The distance we were from the ship might be 15 or 16 miles. We started at daylight and proceeded onwards. So far, the ground on each side appears to be less or more overflowed every fresh, and is full of lagoons and swamps. The soil is black and good and full of brush, with trees of great magnitude and of different kinds. The grass is thick and long where it grows, but so far the ground is low and swampy, though, no doubt, from the height of the hills inland there is good ground free from all floods. We breakfasted about nine miles further up on a rising ground clear of brush and swamp. The ground appeared open, the grass luxurious and long. I travelled a mile and a half on this sort of ground, and came to a pleasant rising mount which afforded an extensive prospect. It was covered with long luxuriant grass and very large trees of different kinds: some rocks are interspersed on its top, with plenty of water at hand. The land here is high above the source of the river. Here is plenty of land for agriculture. The soil is black, but mixed with a sort of sand or marley substance. However, its natural productions warrant it fit for anything. A creek that boats might lay in clear of the violent floods runs along the foot of the mount. The cedar grows here in plenty about the sides of the river, so that there is plenty of wood and stone with water, and ground much preferable to any I have seen about Sydney for agriculture. This is the first spot for cultivation we have yet met with since we left the ship that is desirable about the waterside. The evening brought us up to the Colonel, where we found them in a comfortable hut and a good place. This place might be nine or ten miles further up. In the morning Colonel and Dr. Harris in his boat, and Mr. Barrallier and myself in a small boat, proceeded up the river to a mount, similar in productions to the above described, but much higher and of greater magnitude. The view was extensive and picturesque, as it commanded a great extent of country. Colonel Paterson had before visited this place and named it Mount Ann.* On our passage up we had passed five rapid falls, which we

Exploring the river.

Appearance of the country.

* Named Mount Ann by Colonel Paterson in honor to the Governor's wife, Mrs. King.

- 1801** were obliged to drag the boats over. We proceeded onwards, and after passing four more falls, some of which were very rapid and troublesome from the trees being in many places washed right across there, we took up for the night about three miles above Mount Ann. On the opposite side was a lagoon, where we shot a brace of ducks in. We saw several traces of the natives, both young and old, and passed some canoes, which are small and rudely put together. Here the river still was extensive and wide, but the freshes had left their marks in many tops of trees not less from the source of the river than 25 feet perpendicular height. The next day brought us to the foot of a high hill,* which was still higher than Mount Ann, and connected to the same by a chain of lesser hills forming a semi-circle nearly. From the top of this we could see the island in the entrance of the harbour, all the range of blue mountains which we had now got to the nor'w'd of, and also the river for a great way inland winding in various ways. The production and soil here is nearly what I have before described, and, like the first, is steep on one side. Here we found some new plants of the fern tribe, and others, particularly a sort of balm which grows here to a great size, the stem of it approaching nearly to the texture of wood, and is of a sweeter smell than the common balm. This mount was named Mount Elizabeth. On it will be found a tree with the letters W.P., J.G., J.H., F.B.,† with the year 1801. In another tree we cut a piece of the wood from it, which will stand a long time visible. We saw that the river took so long a sweep and returned to nearly the same place, that it would take us the next day to get almost to the place we were;‡ therefore we determined on returning, as our stock of provisions would not allow a longer stay. The country we saw from this hill is an immense level, extending from hence to the Blue Mountains, which we saw until lost to the eye, stretching in a northerly direction into the interior. I presume this is about 15 or 16 miles higher up than the hut. We passed the night, as usual, on the banks of the river, and next day proceeded downwards. On our passage up from the hut we passed in all fourteen different falls. We again visited Mount Ann, and arrived at the hut in the afternoon. Mr. Barrallier, it is to be observed, had obtained the survey so far as we had been up. Cedar grows along the banks of the river in great abundance and great magnitude. The ash, gum-trees of all sorts, the swamp-oak, and tea-tree is also in great plenty and very large, together with various other woods. Of minerals there appears not to be any great variety; those that are about the river in general are volcanick. Birds and plants nature has been bountiful in bestowing here; fish also are plenty, and I suppose, from their leaping, are of the trout kind. Of shells we found a black sort of bivalve and much resembling the shells I have seen searched for in the rivers in Scotland, particularly the Doun, which in general are found to contain small pearls. Having now seen as much as I could up this arm, I was anxious to return. The Colonel wished much to examine the other arm of this extensive river, which runs in a northerly direction and branches out apparently towards Port Stephens.§
- Waterfalls.**
- View from Mount Elizabeth.**
- Cutting their initials.**
- The return.**
- The timber.**
- Williams River.**
- Mountains.**
- Saturday, 18 July, 1801.—Wind S.W. P.M.—fresh gales and rain. At 5 p.m., the Colonel and Dr. Harris, with Mr. Barrallier, returned on board, Mr. Barrallier having surveyed up the arm until stopped by a cascade, which he could not pass. The Colonel had been up and met with another chain of mountains, one of which he named Mount King, and another Mount Grant. I now ventured to name my little mount, and called it Mount Edgerton, in obedience to the particular wish of my friend Captain Schank. A.M.—got the yards and topmasts up.

* Colonel Paterson named this hill Mount Elizabeth, in honor of his wife.

† These initials evidently stood for William Paterson, James Grant, John Harris, Francis Barrallier.

‡ It would appear from this that they went up the river to about the spot where Singleton now stands.

§ Doubtless the Williams River.

Sunday, 19 July, 1801.—Wind S.W. to calm. In the morning Mr. Bar-
 llier and Dr. Harris went to survey for the last time, the survey being
 completed in its most material points.

1801

14 June.

The survey.

Thursday, 23 July, 1801.—Wind S., S.S.E., E.S.E., S., S. by W. P.M.—
 blowing strong from S.S.E. to S.E. Saw a sloop-rigged boat standing along
 the shore. Observed her go into the Coal River. At midnight much sea and
 very calm. At daylight, light airs inclinable to calm. Got the bedding
 up to air and cleaned below. Extremes of land at sunset N.E. $\frac{1}{2}$ N. and
 W. by W., distance 5 or 6 leagues, the Coal Island W. 10 or 12 miles.
 A.M.—light airs inclinable to calm. At noon the Coal Island bore N.W. by
 E. 4 or 5 leagues. Latitude observed, $33^{\circ} 11' S$.

JAMES GRANT.

GOVERNMENT AND GENERAL ORDER.

20th June, 1801

20 June.

NOTWITHSTANDING the repeated orders against slop cloathing being
 sold by those it is issued to, either as a prisoner or exchanged with
 settlers for grain supplied the stores at a very small advance on
 the English cost, yet this indulgence continues to be made use of
 by the settler for the purpose of extortion, charging, among other
 things, 20s. for a jacket which only cost them 8s. 9d. from the
 stores, which has been fully proved in the case of Job Miller,
 settler, and John Taylor, who has been fined two months' hard
 labor and the jacket returned to the stores.

Prisoners
selling their
clothing.

The settlers and other individuals, who are allowed to purchase
 any article from the King's stores for the use of their families,
 retailing it out again, will forfeit every other indulgence of that
 kind. And if any persons still presume to purchase any article of
 slop clothing, which consist of rug, jacket, shirt, trowsers, hat,
 rock, shoes or stockings, from any prisoner, settler, or any other
 person, they will be punished by forfeiting the article purchased.
 And if a prisoner either makes the purchase or sells the article, he
 will be severely punished and work six months in the battery
 gang. And if any free person whatsoever disobeys this order,
 they will, on conviction before two magistrates, be fined treble the
 worth of the article, and be ever after deprived of receiving any
 articles from the stores.

Retailing
stores or
purchasing
convicts
clothes pro-
hibited.

And every individual will recollect that the great attention
 shown by His Majesty's Ministers (in this awful time of general
 distress in the mother country) to the convenience of the inhabi-
 tants in this colony for enabling them to procure the necessaries
 of life at a cheap rate, must not, and shall not, be perverted to the
 improper purposes of monopoly and extortion.

A warning.

A general muster of all the male prisoners off and on the stores,
 and free men of all descriptions (except those who hold ground by
 grant, lease, or renting), on or off the stores, will be taken at
 Lawkesbury, Parramatta, and Sydney on Thursday, the first of
 July, at eight o'clock in the morning.

A general
muster.

1801

Those at Sydney and its districts are to assemble at the yard of the Orphan House.

20 June.
At Sydney.
At Parramatta.

Those at Parramatta, George's River, and its districts at the Court-house, Parramatta.

At Hawkesbury.

And those at Hawkesbury and its neighbourhood at the Government House there.

Females and children.

The women prisoners and those who are free, of all descriptions, with their children, whether on or off the stores, are to be present at the above places on Monday, 5th July.

The settlers of all descriptions will be mustered as soon after as possible, notice of which will be given.

Every one to attend.

Any persons not appearing at those musters will be taken up as vagrants and punished to the utmost extent of the law, if free; if a prisoner, they will be sentenced [to] twelve months confinement in the battery gang. And any attempt to impose false accounts of any person, absent or present, will be punished accordingly.

PHILIP GIDLEY KING.

GOVERNOR KING TO MARQUIS WELLESLEY.

22 June.

My Lord,

Sydney, 22nd June, 1801.

King refuses to allow rum to be landed.

From the knowledge I have of your Lordship's Proclamation in Council, forbidding the exportation of spirits to this colony from any part of India, I have found it necessary, agreeable to His Majesty's instructions, to order the Harrington, belonging to Madras, with four thousand gallons Bengal rum, to leave this port; and have also directed eight thousand brought in the John, and sent by the supercargo of the Matilda of Madras, from the Cape of Good Hope, to be put on board the Harrington, as both vessels and cargoes belong to the same owners.

Cargo of the Harrington.

It is necessary I should inform your Lordship that the master of the Harrington produced the Matilda's clearance certificate from Madras to the Cape of Good Hope, and the owners' directions to send any part of that vessel's cargo to this colony, if permitted, which my instructions and the great quantities of that poison now here absolutely forbids.

The master and supercargo, agreeable to my permission, have landed their large investments of dry goods, which they are now selling.

Yours, &c.,

PHILIP GIDLEY KING.

Spirits removed to the John.

P.S.—Since writing the above, the master and supercargo have requested to remove the spirits from the Harrington to the John, which I have allowed, with which the John leaves this port.

ADMIRALTY TO GOVERNOR KING.

1801

Sir,

23rd June, 1801.

23 June.

It having been judged expedient that the Lady Nelson should be employed as a tender under the orders of Captain Flinders of His Majesty's ship Investigator, during such time as he may be employed in making the survey of the coast of New South Wales, I have it in command from my Lords Commissioners of the Admiralty to signify their direction to you to order Lieut. James Grant, who at present commands the Lady Nelson, to follow any orders he may receive from Cap. Flinders during the time he may be employed above mentioned,

The Lady Nelson a tender to Investigator.

I have it further in command from their Lords to signify their direction to you to give Cap. Flinders every information and assistance which may be in your power to enable him to carry on the said survey, and not to employ him or the Investigator on any other service than that pointed out in the instructions which he has received from their Lords.

King to assist Flinders.

I am, &c.,

EVAN NEPEAN.

GOVERNMENT AND GENERAL ORDER.

23rd June, 1801.

THE Governor having received a petition from the settlers at Hawkesbury, praying for one year's suspension of the Civil Court of Judicature, ordered for the 6th of next month, on the plea of their being greatly in debt, owing to the late extortions practised on them, and their creditors threatening to throw them into gaol, whereby they will be deprived of the only means of paying those debts, by their farms being taken on execution, instead of planting maize at the proper season. The Governor having maturely considered the prayer of this petition, while he laments the accidents that have deprived many of the industrious among them of their grain and means, he cannot but advert to the very inconsiderate conduct of a great part of those whose names appear in that petition, and the flagrant abuses they have made of the exertions used to extricate them from the state they were in last year. These abuses consist in a neglectful disobedience of the Orders for reducing the price of labour among the seamen, and using the articles of use and comfort, that they obtain at so reasonable a rate, for the purpose of extortion, which, being themselves rescued from, they now extend this practice to those they employ, which is a principal cause of the price of labour being kept up. Added to this, the Governor is sorry to have observed that idleness and dissipation among the settlers, which it ever keeps them in a state of abject poverty and dependence means their destructive propensity to the use of spirituous liquors—to obtain a taste of which many of them have sacrificed fruits of their whole year's labour and maintenance.

The settlers' petition.

The cause of their distress.

The price of labour.

Illness and dissipation.

- 1801** Those at Sydney and its districts are to assemble at the
the Orphan House.
- 20 June.** Those at Parramatta, George's River, and its districts
At Sydney. Court-house, Parramatta.
At Parramatta.
- At Hawkesbury. And those at Hawkesbury and its neighbourhood at the Government House there.
- Females and children. The women prisoners and those who are free, of all descriptions with their children, whether on or off the stores, are to be present at the above places on Monday, 5th July.
- The settlers of all descriptions will be mustered as soon as possible, notice of which will be given.
- Every one to attend. Any persons not appearing at those musters will be taken as vagrants and punished to the utmost extent of the law, if a prisoner, they will be sentenced [to] twelve months confinement in the battery gang. And any attempt to impose false accounts on any person, absent or present, will be punished accordingly
- PHILIP GIDLEY K

GOVERNOR KING TO MARQUIS WELLESLEY.

- 22 June.** My Lord, Sydney, 22nd June, 1801
- King refuses to allow rum to be landed. From the knowledge I have of your Lordship's Proposition in Council, forbidding the exportation of spirits to this colony from any part of India, I have found it necessary, agreeable to His Majesty's instructions, to order the *Harrington*, bound for Madras, with four thousand gallons Bengal rum, to leave this port; and have also directed eight thousand brought in to be sent by the supercargo of the *Matilda* of Madras, for the Cape of Good Hope, to be put on board the *Harrington*, the vessels and cargoes belong to the same owners.
- Cargo of the *Harrington*. It is necessary I should inform your Lordship that the *Harrington* produced the *Matilda's* clearance certificate for Madras to the Cape of Good Hope, and the owners' direct to send any part of that vessel's cargo to this colony, if permitted, which my instructions and the great quantities of that now here absolutely forbids.
- The master and supercargo, agreeable to my permission, have landed their large investments of dry goods, which they are now selling.
- Yours, &c.,
- PHILIP GIDLEY K
- Spirits removed to the *John*. P.S.—Since writing the above, the master and supercargo requested to remove the spirits from the *Harrington* to the *John*, which I have allowed, with which the *John* leaves this port.

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The settlers' petition.

The cause of their distress.

The price of labour.

Illness and dissipation.

- 1801** The Governor hopes that the success of the whale fishery on this coast, and the intention of Government continuing to supply the inhabitants with articles of use and comfort at a low rate, will excite in them a general spirit of exertion, as it can only be by the industry of individuals, in raising grain and animal food, that they will be able to partake of these advantages. And, as the Orders issued by the Governor since he took command, have been intended to promote the happiness and comfort of those under his charge, collectively and individually, while he expresses his firm determination to have those Orders obeyed, he hopes every description of people will second his exertions, by bringing forward the infractors of them. But if extortions are submitted to, debts, executions, and a gaol must be the natural consequences.
- 23 June.** The Government store. The General Orders. The Civil Court. cannot be suspended.
- Respecting the suspension of the Civil Court, it is the Governor's duty to inform the petitioners, as well as the other inhabitants, that His Majesty and the Legislature having directed a Civil Court of Judicature to be established in this colony, a constant resource is to be had thereto by all His Majesty's subjects for the recovery of their just claims. And the Governor, having postponed the meeting of that Court (to decide upon the numerous claims laid before him) until after the season for sowing wheat is finished, it would be a flagrant breach of his duty to impede the due course of that law, which provides equally for all descriptions. But while he feels it his duty not to hinder any person from asserting their just claims on each other, yet he expects the creditors of those who bear an industrious character will not push their prosecutions further than is unavoidably necessary for obtaining their legal demands.

PHILIP GIDLEY KING.

PETITION OF HAWKESBURY SETTLERS.

The humble petition of the settlers and landholders on the River Hawkesbury, to His Excellency, Governor King,—

Humbly sheweth :—

- Floods in the Hawkesbury.** That your humble petitioners, through the many losses that they have met with by Providence, through so many successive floods within the last two years, which have almost ruined them, and that they find themselves in such embarrassed and low circumstances through their losses that they can see nothing before them but their utter ruin, if your Excellency permits a Civil Court to take place according to the last notice; for their creditors, finding they have not the opportunity they formerly had of extorting on them, and for which we most humbly thank your Excellency for stopping their proceedings, and for supplying us, on such reasonable terms, with the comforts of life, for which we used to pay so dear, and
- Debts of the settlers.**

Cette Belle Rivière des Muguoraneux est
vague que, se jetant des uns sur les autres
Et se brisant avec éclat. Pour autant de sur
sur les Rochers Boarpi's de l'isle, Et roulant,
avec impétuosité les sables du rivage oppo-
sés, font trembler le marin de plus en plus. de
leurs buffes d'un tour les matelots la terre
Pointe sur leur visage; Mais pourvu qu'un posteur
soit avec une alerte in croyable; Les ordres de leur
Capitaine pour le tour de la di-vi-ité. Presque
impenetrable. Le bateau. Et son Homme Recluse
bien ne s'en faire. Luy il est in de fatigable. En tout
Ce qui l'Entreprenant Et si ce n'est Et la Grande

which have involved us in the misery we now labor under; and our creditors are now using every means in their power to distress us by obtaining executions on our effects, and by putting them up for public sale, where they are sold for ten times less the value than they are to the settler. On the other part, if a settler or landholder is sent to gaol at this season, his land must go uncropped, which was the case the last year about this time, when so many people were lodged in gaol, was the reason of a great number of acres of land going uncropped with that useful grain, maize, and which must undoubtedly be the case this year, for we have not got it in our power, after so many losses, to discharge our debts till our crops come off; and to satisfy your Excellency that it is not for want of principle, but for the want of means, that our debts are not discharged, we are all and every one of us willing to give our creditors all the security our circumstances will allow of till our crops doth come off, for that your petitioners have used every means in their power to be relieved from their debts, and which if Providence had not destroyed the fruits of their labor, the most part, if not all, would have been at this time out of debt. And now again we have distressed ourselves to crop all the land we could, and many of us to the last bushel of wheat we had, to relieve themselves, if Providence permits it at the ensuing harvest, and for which your humble petitioners pray that your Excellency will take their unhappy case into your humane consideration, and not permit a Civil Court to take place till the ensuing harvest, and then your petitioners humbly hope that they shall satisfy their creditors without either the trouble or the expense of a court. This our petition we most humbly pray that your Excellency will grant, and we shall, as in duty bound, ever acknowledge it a particular favour granted to your Excellency's most obedient and humble servants.

1801

23 June.

Their inability to pay.

Will do so when able.

Suspension of Civil Court.

[This was signed by 82 persons.]

ENSIGN BARRALLIER TO GOVERNOR KING. (King Papers.)

Monsieur,

Hunter's River, le 24 juin 1801.

24 June.

J'ai l'honneur de vous envoyer par voye du schooner* l'entrée de la rivière, et une partie adjacente que j'ai levé depuis que nous sommes arrivés, avec leurs respectifs sondages, rocks, bancs de sable et ses différentes mines de charbon de terre connues jusqu'à présent. † J'avance à grands pas vers le banc nord que vous imaginez très vraisemblablement aboutir au Port Stephen, ‡ mais suis retenu presque à chaque instant par le grand espace contenu entre les deux rivages et par la difficulté de me procurer des points propres à établir des bases certaines pour les triangles.

Entrance to Hunter River.

The northern arm.

* The Francis.

† This plan is missing.

‡ Presumably the Williams River.

- 1801
24 June.
A difficult entrance.
- Dr. Harris.
- Lieutenant-Colonel Paterson.
- Vous verrez par ma carte quel affreux passage il faut franchir pour arriver dans cette belle rivière. Les mugissements des vagues qui, se jetant les unes sur les autres et se brisant avec un éclat épouvantable sur les rochers escarpés de l'isle, et roulant avec impétuosité les sables du rivage opposé feroient trembler le marin le plus intrépide. Vous eussiez vu tous les matelots la terreur peinte sur leur visage, mais ferme à leur poste, obéir avec une dextérité incroyable les ordres de leur capitaine pour le tirer de ce labyrinthe presque impénétrable. Le docteur est un homme réellement bien nécessaire car il est indéfatigable en tout ce qu'il entreprend, et si ce n'eût été sa grande persévérance ni nous ni le schooner n'aurioient entré la rivière ce jour-là.
- Le colonel a fait, à ce qu'il dit, beaucoup de nouvelle découvertes en plantes, et se propose d'explorer le pays aussi loin qu'il lui sera possible avec sûreté. Il est bien malheureux pour lui qu'on ait si mal pourvu en bateaux, vu qu'étant obligé de me servir des deux qui appartiennent au vaisseau il n'a d'autre choix que de se servir de celui qui appartient au docteur.
- Je suis avec respect, Monsieur, de votre Excellence le très humble serviteur,
- F. BARRALLIER.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.
(King Papers.)

- 25 June.
Voyage to Hunter River.
- Reid's Mistake.
- The strata of coal.
- Dear Governor,
Hunter River, 25th June, 1801.
- As Mr. Grant gives you the detail of our voyage to this place, it will, of course, be more explanatory than anything I could say on that head. He will, of course, inform you how near our pilot had brought the Lady Nelson into a very unpleasant situation, from mistaking an open bay about 13 miles to the southward from this port.* We, however, got to anchor at the island on the 14th. As we went in with an ebb tide, it was as much as we could do to tow the vessel clear of the surf, which was running very high. Next morning we got round the point, since which time every one, I assure you, has been busily employed. My first object has been to ascertain the different strata of coal, and to give you what information I can upon that head.
- The northern point of land, which I have call'd "Colliers' Point," is composed of two stratas in sight and one which is bare at low-water mark only. This is by much the best coal, which you will see by the specimen I desired might be kept apart from the other, which is the middle strata, about 16 in. deep; that below is 22 in.; the distance between them is about 20 ft. The upper strata is too near the surface to be worth working. Upon the island, which I have named "Coal Island," the stratas are the

* The open bay was the entrance to Lake Macquarie. The entrance was given the name of Reid's Mistake, which it retains to this day. William Reid (or Reed) was master of the Martha, 30 tons, ante, p. 206 (note).

as on the mainland. The bed of coal at low-water mark is
 er better than at Colliers' Point, and might be got very quick,
 he anchoring place is close to the coal ; but, if the coal work
 be permanent, I should suggest the mines to be on the main,
 sh might be sunk with very little trouble, and I have no
 t but that in a very short time Government would find their
 ntage in it. Salt works might be erected and carried on at very
 expense, as the rubbish of the coal that is not worth sending
 ydney would answer the purpose of boiling the salt, and there
 ch abundance of fish that a few industrious fishermen might
 he course of the cold season load several vessels with excellent

1801

25 June.

Selection of
a site for
mine.

Salt works.

These are my present ideas with respect to the entrance of
 place. I have not as yet discovered anything like lime-
 e, but the quantity of oyster shells on the beaches inland is
 nd conception ; they are in some places for miles. These are
 : feet deep, without either sand or earth. Vessels might lay
 in a few yards of where they are found.

Lime.

The hills from this to the southward are covered with excellent
 s, without any wood or shrubs, except in the valleys, and
 e but little. As they have much the appearance of those hills
 see sheep feeding on in England (and I am certain would
 ver well for that purpose), I have named them the "Sheep
 ture Hills." The low land along the water side is in general
 ly, with very high trees—chiefly swamp oak and gum trees.
 : soil will answer very well for India corn.

Appearance
of the
country.

Larris and myself have been out every day, but as our obser-
 ons as yet are not of any particular use, I hope we shall be
 e perfect by the return of the schooner, which we may expect
 bout three weeks ; but this place is so extensive that I do not
 k it can be surveyed by the time you have ordered Mr. Grant
 sturn, and it would be a pity to leave it till the survey was
 pleat. I have only to say every one is doing what they can
 fect it as soon as possible. I have made several discoveries in
 own way, and one that may prove useful to Government, which
 new species of cocanut. The tree grows from 40 to 50 feet
 :. The fruit is not so large as those found within the tropics.
 lat, the collier, and his party have done wonders in getting the
 s for the schooner so soon. I shall keep them going on, and
 the coals laid in a situation where the tide cannot reach them.
 hey are to continue here they will want more picks and
 ets.

The survey.

Cocanut.

The colliers.

he sawyers have cut some corkwood, which is the only wood
 sh cutting at this place where we are laying. They are now
 sh Island, and whatever Aikin can take at this trip shall be
 . Whether it is the novelty of the buisness or from any other
 e I know not, but every one seems to try to out-do the other
 working.

Thesawyers.

- 1801 We have had very strong westerly winds for some days, otherwise the Lady Nelson would have been up the Cedar Arm and the sawers employed cutting cedar. If they remain any time here, they will want two more felling axes and some files. We have not as yet had any communication with the natives. We have seen them at a distance, but remarkably shy. Yesterday, the 22nd, Mr. Barrallier and Bowen fell in with one by accident and brought him on board, but as Bungery had left us, we could make nothing of him. He was more removed from the human race than any I have yet seen. He would neither eat or drink, and kept constantly repeating what he heard others speak. After cutting his beard off, we gave him some biscuit and sent him on shore. Where they found this native, Whitaker the soldier observed a person about 50 yards off with a jacket and trousers, which he believed to be a European. There is no doubt of Grace's being in this neighbourhood, and from what we could learn (from a native that came on board at the bay I mentioned to the southward of this), he is the only one left of the party.
- 25 June. Winds and weather.
- A native.
- A castaway. A few days ago, in company with Mr. Grant on the beach, we observed a person in tattered cloaths coming towards us. We found him to be a man named Lofts, who had charge of Underwood's boat. As he returns in the schooner, he will give you all the particulars of his sufferings.
- Mr. Palmer's party. As we have not heard anything of Mr. Palmer's people, I begin to think the natives have caught them off their guard, which may occasion their shyness. However, it is probable they may be so far up the Cedar Arm as not to have heard anything of our arrival, and it is not improbable they may have gone into the place called Reed's Mistake.* Even in that case, we should have heard of them from the native that came on board.
- Tools. Mr. Palmer's people are arrived. Mr. Grant will give you the particulars.
- Should you judge it necessary to continue the colliers or sawers at this place, I think if you send some grubbing hoes and some spades, Indian corn and garden seeds, they might be able to raise vegetables for themselves.
- I beg my best respects to Mrs. King, and love to Elizabeth. With compliments to Chapman and McKellar.
- I remain, &c.,
W. PATERSON.
- SURGEON HARRIS TO GOVERNOR KING. (King Papers)
- Sir, Hunter's River, 25th June, 1801.
- Four days after our departure from Sydney we arrived at this place, tho' not without some difficulty, having been nearly led into danger by the ignorance of James, who mistook the entrance of the river.
- Heid's Mistake.

* Lake Macquarie.

Harris to King]

117

.801

June 1,
1864.
King's Co.
Mass.

King's Co.
Mass.

King's Co.
Mass.

Sir

Sir, I am very
difficultly dis-
tressed by the
want of San-

itary provisions,
and am
needed in, as
Barnstable has
another quar-
ter the Colonel
is of some mon-
itionary depen-
dence on her

Harris -
from Hunted River

It has blown a Gale from the Westward
he is now complicated, — The Sawyers have
employed cutting some light Wood for repairing the
and latterly some Oars but as we have not
been able to get up the Cedar Branch
we not been able to comply with your directions
particular — From what I have been able to
from the Appearance of these Branches it
some Weeks before we are able to give you
satisfactory Account of them; but the Colonel is
the pursuer and I am sure I have not the
objection — The Colonel says he has found
new plants here and Mr. Luson also says
met with New Birds (if so) they are about my
inson, as I see nothing new about them (one
excepted) and that only in colour being that with
Head — Curious shells here are more and very
of one from the bottom of the Sea, I imagine
with quantities of Crystal Shells I never in my
old the Schooner might have be Loaded in about
hundred Baskets there size — I know not whether
but that once tried it to you but it was our
that it would be a very proper place to procure

lime - The Wood on Ash Island one of many
and of which you will have specimens on a

I have been a considerable way up the
Branch but can not take upon me to give you
description of the country where I have Landed
Erewhon that but another opportunity - The M.
are remarkably shy I am afraid they have been
used by the whole people there some time -

We have notwithstanding caught
in the Woods broke them kindly and let
about their business I hope it may have

The Station which we brought for
with Mr. Bongary Van off the day after we
there and has not come returned - The boat
to let the Murren continue to work as usual
return & to take the Sawyers up with us &
Branch we shall start tomorrow if the
but moderate & which still blows hard -
I have tried your patience with this scrawl -
but Capt Grant and the Colonel has given
information relating to our proceedings and for
which I hope will meet your approbation -
Goodnight to remember me kindly to Mr. King and
and believe me to be with much respect - Sir
your most Obedt^t Servant
J. J.

Mr. Secretary General
of the
German League
of Women

Since our arrival here we have been employed procuring the necessary information respecting the entrance, and which I hope we have pretty well succeeded, as you will perceive by the chart, at which Mr. Barrallier has been indefatigable. The schooner also was another grand object which we did not lose sight of, as the Colonel thought her speedy departure from hence was of some moment, and indeed her commander, in my opinion, deserves the greatest credit for his exertion in expediting her lading, considering that for these four days past it has blown a gale from the westward, but she is now compleated. The sawyers have been employed cutting some light wood for repairing the boats, and latterly some oars, but as we have not as yet been able to get up the Cedar Branch, we have not been able to comply with your directions in that particular. From what I have been able to judge from the appearance of these branches, it will be some weeks before we are able to give you any satisfactory account of them; but the Colonel is determined to persevere, and I am sure I have not the smallest objection. The Colonel says he has found several new plants here, and Mr. Lewen also says he has met with new birds. If so they are above my comprehension, as I see nothing new about them, one hawk excepted, and that only in colour, being red with a white head. Cureous shells here are none, and very few living ones, from the violence of the surf, I imagine; but such quantities of oyster shells I never in my life beheld. The schooner might here be loaded in a day, and a hundred vessells her size. I know not whether the Colonel had mention'd it to you, but it was our opinion that it would be a very proper place to procure lime. The wood on Ash Island are of many sorts, and of which you will have specimens on our return.

1801

25 June.

Charting the entrance.

Loading the schooner.

Exploring the rivers.

Oyster shells.

I have been a considerable way up the southern branch, but cannot take upon me to give you any just description of the country where I have landed; shall reserve that till another opportunity. The natives here are remarkably shy. I am afraid they have been badly used by the white people here some time since. We have, notwithstanding, caught two of them in the woods, treated them kindly, and let them go about their business. I hope it may have a good effect.

Hunter River.

The natives.

The native which we brought from Sydney with us, Bongary, ran off the day after we made the River, and has not since returned. The Colonel proposes to let the miners continue to work as usual till our return, and to take the sawyers up with us to Cedar Branch. We shall start to-morrow, if the wind wou'd but moderate, which still blows hard. I am afraid I have tired your patience with this scrawl, as no doubt but Capt. Grant and the Colonel has given you every information relating to our proceedings

1801 and plans, and which I hope will meet your approbation. Have
 25 June. the goodness to remember me kindly to Mrs. King and Miss
 Elizabeth, and believe me to be, with much truth,
 Yours, &c.,

— — — — —
 J. HARRIS.

THE DUKE OF PORTLAND TO GOVERNOR KING. (King Papers.)

26 June. Sir, Whitehall, 26th June, 1801.
 Flinders and the Investi-
 gator. You will receive this by Captain Flinders, who is about
 to proceed on a voyage of discoveries in His Majesty's ship the
 Investigator. As his attention will be in a more particular manner
 directed to New Holland, and as it may enable him to prosecute
 the objects of his voyage with more success if he is accompanied
 by the Lady Nelson, I am to desire that you will place that ship
 under his command, *ad interim*, provided the public service of
 your Government will allow of your so doing. Of this circum-
 stance you are the best judge, and I therefore leave it entirely to
 your discretion to determine accordingly.*

I am, &c.,

— — — — —
 PORTLAND.

GOVERNOR KING TO COMMISSARY PALMER. (King Papers.)

27 June. 27th June, 1801.
 The gaol
 completed. THE committee for erecting the county jail† in this settlement
 having reported to me the completion of that building, and that
 they have paid into your hands the sum of £460 15s. 2d., being
 the unpaid part of a sum of money advanced by order of Governor
 Hunter on the part of the Crown to enable them to carry on the
 work, and to repay it when the funds appropriated for that
 purpose would enable them; and a sum of £412 2s. 9d. having
 been received by you from the officers, civil and military, in pay-
 ment for the port wine sent by Government in the Royal Admiral
 for the accommodation of those officers; and as I have judged
 it necessary to purchase for the public use of this colony, the
 Harbinger, brig, of 56 tons, with her masts, yards, rigging, and
 furniture, as per survey and inventory thereof, for the sum of
 £700 sterling, you will therefore pay that sum out of the above
 amount in your hands, taking proper vouchers for the same
 delivering me two sets thereof, and informing the joint secretary
 of His Majesty's Treasury of this transaction.

For which this shall be your order.

PHILIP GIDLEY KING.

* The Lady Nelson, under Lieutenant Murray, was placed by Governor King at the dis-
 posal of Commander Flinders and accompanied him as tender to the Barrier Reef; but as
 she was found to hamper rather than aid Flinders's movements she was sent back to Sydney.
 † Vol. iii, pp. 695, 696 (note), and ante, pp. 35 and note and 153.

MAJOR-GENERAL BROWNRIGG TO LIEUTENANT-COLONEL PATERSON.

1801

Sir,

Horse Guards, 29th June, 1801.

29 June.

I am directed by the Commander-in-Chief to acquaint you ^{Evidence in the case of Brevet-Major Johnston.} ~~that~~, since my communication to you of the 9th instant,* a letter ~~has~~ been received from Governor Hunter, accompanied by the ~~whole~~ of the evidence which was taken on oath, on the arrest of Brevet-Major Johnston, before a full Bench of Magistrates assembled for that purpose; and the same having been referred, by order of the Commander-in-Chief, for the consideration of the Judge-Advocate General, in addition to the former communication ~~made~~ to him in this case, Sir Charles Morgan has repeated his ^{Futility of trying him in England.} ~~opinion~~ on the impossibility of Major Johnston being brought to trial in this country on the written evidence produced, or unless the prosecutor and the witnesses, as well in support as in refutation of the charges, are brought here from New South Wales.

Sir Charles Morgan further states that altho' on the first impression of the matter it should seem that Major Johnston should be remanded to New South Wales in order to his being tried ^{Representations of Governor Hunter.} ~~there~~, where the offences whereof he is accused are alledged to have been committed, and where all the witnesses who can speak to the points in question are to be found, yet, from the representation made by Governor Hunter, it appears that a General Court-Martial properly constituted cannot be had in that country, unless some additional officers should be sent there for that duty, and ~~that~~ one or the other of these measures appear to me indispensable, in order to the obtaining of a judicial decision.

To the foregoing professional report, Sir Charles Morgan has ^{A confidential opinion} ~~added~~ a confidential opinion that the issue of the trial is not likely to compensate for the inconvenience which must result to the service, as well as to many persons individually, from the adoption of either of the measures above stated; for upon a supposition the most favourable and natural that each of the witnesses ^{The first charge.} ~~when~~ more solemnly and particularly interrogated, should adhere in substance to their respective depositions, Sir Charles is fully persuaded that upon the 1st and principal article of charge, "furnishing spirituous liquours to a soldier on account of his regimental subsistence, contrary to express order," Major Johnston ^{The second charge.} ~~would~~ be acquitted from want of sufficient evidence; whilst, on the other hand, the prosecutor will appear to have had good cause for preferring the charge on the 2nd article of charge, contempt expressed towards his commanding officer by charging him with an intention to persecute, Sir Charles is inclined to think that Major Johnston will be found to have suffered his feelings, on being charged with so serious a crime, to betray him into some improper expression thereof; but that in regard to the long, tho' unavoidable duration of his arrest, the sentence of the Court-Martial would not exceed a reprimand. And as to the 3rd charge, ^{The third charge.}

* Ante, p. 383.

1801 which consists of a non-compliance with an order given to Major
29 June. Johnston, when under an arrest, for the production of the books
of his company accounts, to his commanding officer, who in this
instance was also his prosecutor, Sir Charles thinks, when it shall
be shewn that these books might materially affect the defendant
upon his trial, and that altho' he did not deliver them up as
directed, he deposited them, sealed up, in the hands of the Governor
in order to their being forthcoming when required by a Court-
Martial, that little will be made of this instance of disobedience;
and should the trial so terminate, Major Johnston will of course
continue to be a captain in the New South Wales Corps, in which
it is scarcely possible that he and the officers who gave evidence
on the part of the prosecutor can serve together consistently with
harmony and good order.

The trial to
be quashed.

The Commander-in-Chief having maturely considered the fore-
going circumstances, coincides entirely in opinion with the Judge-
Advocate General that Major Johnston should not be brought to
trial either in this country or in South Wales; but as the measure
of his having been brought for trial to England is entirely disap-
proved, he is to return to New South Wales in arrest, where, on
his arrival, the reasons for his not being brought to a Court-
Martial will be communicated to him through the Governor, and
His Majesty's pleasure for his being released from his arrest, and
return to his duty.

I have, &c.,

ROBERT BROWNRIGG.

SURGEON BASS TO W. WATERHOUSE.*

30 June.

My dear Sir, Venus, † Cape of Good Hope, 30th June, 1801.

The Venus
off the
American
coast.

I wrote to you from St. Salvador and Island St. Sebastian,
on the coast of Brasil; told you all was well and prosperous.

The pros-
pects of
trade.

We left the coast on the 30th May, in the latitude of St.
Catherine's, having done little more than improved our cargo by
sale of European and the purchase of Brasil goods for the Port Jack-
son. Our cargo, as to the latter place, is now one of the most
complete that was ever carried there, and the little brig is as deep
as she can swim, and full as an egg. She turns out very sound and
tight, and bids fair to remain sound much longer than any of her
owners. Our views at Port Jackson are much darkened by the
late changes in that country, and our New Guinea trip has lost a
multitude of its smiles by some late information we have rec'd on
that country. We are, however, sanguine and sure of a successful

* This and other letters relating to Surgeon Bass were kindly placed at the disposal of the
Government of New South Wales by Mr. Pownall, of Russell Square, London, a grandson of
W. Waterhouse.

† The Venus was purchased by a company, of which Bass and his father-in-law were mem-
bers. In the advertisement of its sale, dated Sep. 18th, 1800, she was described as being
built of teak, fitted to mount 12 carriage guns, and a very fast sailer. She left England
with a cargo valued at £10,890. The amount of insurance was £7,650, embracing "Botany
Bay, Port Jackson, or all or any ports or places in New South Wales, New Holland, Van
Dieman's Land, or in the islands adjacent."

voyage upon the whole, though its greatness is much diminished. Its length and its various turns are altogether uncertain, because we must follow circumstances as they arise, and we cannot see far.

We arrived here on the 3rd inst., and should have staid only a few days, but some offers made to us by a Mr. Hogan here detained us by the necessity of the long consideration that was due to them. We have, at length, determined upon declining any . . . * with that gentleman, and sail for Port Jackson to-morrow.

I have written to my beloved wife, and do most sincerely lament that we are so far asunder. The next voyage I believe she must make with me, for I shall but badly pass it without her.

Pray present my kind compliments to Mrs. Waterhouse and your amiable family in town, as also to my bro.' William, at Spalding, and believe me to sincerely wishing for you health and happiness.

GEORGE BASS.

STATEMENT of Officers on the Civil Establishment of His Majesty's Colony in New South Wales, in the execution of their respective duties, and absent on leave, June 30th, 1801.

Names.	Quality.	Remarks, &c.
Philip Gidley King	Governor	Took the command, 28 Sept., 1800.
Richd. Atkins	Dep'y Judge-Advocate	Appointed to act in the room of R'd Dore, d'd 13 Dec., 1800.
Jno. Palmer	Commissary	.....
Thos. Smith	Provost-Marshal	.....
W. N. Chapman	Sec'y to Governor	In the room of Lieut. Nell McKellar. Pay commences 2 April, 1801.
Richd. Johnston	Clergyman	To England on Governor Hunter's leave, 28 Sept., 1800.
Saml. Marsden	do	Officiates in Mr. Johnston's place and does his own duty.
Wm. Balmain	Surgeon	.....
Jno. Thompson	do	Parramatta.
Arcey Wentworth	Mates	Sydney.
Jos. Mileham	Assistant	Norfolk Island.
Martin Mason	Surv'or of Lands	Toongabbee, &c.
Augustus Alt	Boat Builder	Invalided.
Wm. Moore	Deputy Comm'y	.....
W. N. Chapman	do	In the room of Mr. Thos. Laycock resigned; pay commences 2 Apr'l, 1801.
James Williamson	do	Gone to England by Gov'r Hunter's leave, 28 Sept.; Mr. W. Sutton, acting in his room from 28 Sept., 1800.
Mrs. Bennett	Clerks to Comm'y	28 Sept., 1800.
Geo. Wiltshire	Clerks to Comm'y	28 Sept., 1800.
NORFOLK ISLAND.		
Joseph Foveaux	Act. Lieut't Governor	Appointed June 26, 1800.
Jos. Hadlock	Chaplain	Has not made his appearance.
Jos. Jamison	Surgeon	To England on Governor Hunter's leave, 28 Sept., 1800.
John Clark	Dep'y Commissary	To England on Governor Hunter's leave, 1 October, 1799; Wm. Broughton acting in his room.
Charles Grimes	Dept'y Surveyor	Acting Surveyor-General in N. S. Wales in room of Augustus Alt, Esq., invalided.
Wm. Hibbins	Dep'y Judge-Advocate	.....
* Edge	Provost-Marshal	.....

PHILIP GIDLEY KING.

* MS. torn.

1801 LIST of Officers who perform extra duties, for which they receive
no other payment than the following remuneration.

30 June.
Magistrates,
&c.

Names.	Quality.	Remarks, &c.
Neil McKellar	Aid-de-Camp & Magistrate	Has ten extra convicts.
Wm. Balmain	{ Magistrate, Captain of the Assoc'n, & Naval Officer }	Has seven extra convicts allowed.
Saml. Marsden	{ Magistrate and Superin't of public concerns at Par- ramatta & Toongabbee .. }	Has ten extra convicts allowed.
Chas. Grimes	do. at Hawkesbury ..	Has as above.
John Harris	Magistrate, &c. ..	Has five extra convicts allowed.
Thos. Arndell	do	Has do
Martin Mason	do	Has three do

PHILIP GIDLEY KING.

THE DUKE OF PORTLAND TO GOVERNOR KING.

— June.

Sir,

Whitehall, June, 1801.

King's
despatches.

Your dispatches by the Buffalo of the dates and numbers mentioned in the margin* have been laid before the King, and I take the opportunity of the departure of the Canada, Minorca, and Nile, which are on the point of sailing to Port Jackson, to return answers to such parts of your correspondence as appear to me to be material.

Discharging
convicts
from the
store.

I perfectly approve the measures you have taken for reducing the expences of the settlement, by entirely discharging from the stores all those convicts who are not altogether employed in the service of the Crown, with the exception of two convicts allowed as servants to each civil and military officer; but it should be understood by those officers, that in all cases where they themselves cultivate lands and raise stock that they are to feed *all* the convicts allowed to them, without any exceptions whatever.

Convicts
allowed to
magistrates.

The five convicts allowed to each magistrate, appears to me to be too many, but knowing your attention to publick economy, I am willing to leave it to your local experience and discretion to diminish that number in such degrees as you may think proper.

Improper
employment
of convicts.

I shall only further observe on this head that where any officer, civil or military, shall be found to convert to his own use or benefit the labour of any individual convict who works for the Crown, *all* the convicts allowed such officer should be immediately resumed, and added to those employed in the public service.

Public
farms.

I am sorry to observe that so small a portion of ground has been cultivated on the public account, and particularly that those tracts of land more immediately set apart for that purpose should have been leased and granted to individuals.

* 28th September, 1800, ante, p. 177; Separate, A, 27th June, ante, p. 100; B, 28th September, ante, p. 166; C, 9th September ante, p. 133; D, 10th September, ante, p. 130; E, 28th September, ante, p. 195; G, 8th October, ante, p. 226; Military, No. 1, ante, p. 186.

as soon as the other publick works of a more pressing nature completed, you will not of course fail to increase the number agricultural labours for the publick, under which denomination I include those who act as herdsmen, and take care of the stock. 1801
— June.

The articles which have been sent out by the Walker, Royal Admiral, and Earl Cornwallis and Porpoise, will shew the means which have been taken to supply the wants of the settlement, and enable individuals to avoid the scandalously exorbitant prices dealers, by purchasing from the publick depôt at 30 per cent. A public depôt.
fit on the prime cost to cover all charges of freight, risque, and by retail.

I now send triplicate invoices of all the articles sent by the last-mentioned vessels, and by the within copy of my letter to the said Commissioners of His Majesty's Treasury you will find that we have made provision for a constant and regular supply of all necessary articles for the settlement, including salt provisions for Regular supplies.
we are entitled to rations from Government, up to the period when they may be expected that the necessity of sending salt provisions will hence will be so far diminished as to admit of a considerable partial reduction in that article, until the necessity of sending it shall cease altogether.

I have compared your list of articles wanted for the colony, with the lists of articles sent by the Walker, Royal Admiral, and Earl Cornwallis, and you will observe by the within-statement in what particulars your receipts exceed your demands, and in what they fall short of it.* List of requirements.

I am sorry that the ships now about to sail are so full as to be unable to receive any other articles than those contained in the within list; but you may rely upon receiving a supply of the articles of necessity in which you are most deficient by the vessels which will sail with convicts from Ireland in the course of a few months. Transports full.

The measure of numbering and marking the cattle belonging to the Crown† was very proper, and should be repeated regularly, as well to ascertain their real increase as to guard against their being stolen. Branding cattle.

I shall take the opportunity of the return of the Buffalo, or of any other ship as shall replace her, to send some of our cattle to the settlement.

In answer to the paragraphs numbered 9, 10, and 11 of your former letter, I refer you to mine to the Lords of the Treasury, which will inform you of the steps I have taken for regulating supplies for the settlement.

† The manifests of the transports are omitted in the interests of space. They included miscellaneous merchandise of well-nigh every description. Ante, p. 180.

1801

— June.
Prevention
of fraud.

The instructions you have given to the Commissary, as stated in paragraph No. 11,* are in every respect well calculated to prevent the abominable frauds which have been committed on the public stores. The last supply of articles for weaving sent by Mr. Walker, will allow you to begin the manufacturing of flax, as proposed in paragraph No. 12.

On the subject of the wool cards, I refer you to a private letter from Mr. King,† which will go by this conveyance.

Whale
fisheries.

I shall submit to the Committee of Privy Council for Trade the suggested alteration of the Act for regulating the whale fishery.

Lieut.-Gov.
Paterson.

In consequence of your representation in paragraph No. 1 His Majesty has been pleased to appoint Lieutenant-Colonel Paterson Lieutenant-Governor of New South Wales; and I enclose you his commission.§

The Irish
rebellion.

From paragraph No. 15, and your other letters, I am happy to find that the timely discovery of the seditious conduct of the Irish convicts has prevented their doing any mischief; and trust that the precautionary measures you have taken, added to the species of militia which you have formed and established from among the settlers, will prevent any further attempts to disturb the peace of the settlement, which, if necessary, must be preserved by the most rigorous and prompt execution of the laws: a Government so peculiarly circumstanced as yours is.

Major
Fouveaux.

In consequence of the representations you have made in your separate letter, A,|| I have received His Majesty's pleasure to appoint Major Fouveaux Lieutenant-Governor of Norfolk Island and within I transmit you his commission.¶ I shall take further notice of that part of your public correspondence inclosed in your separate letter, B,** if occasion should call for it. I highly approve of the measures you have taken, as stated in your separate letter C, for†† the formation of an institution for the support and education of those children who are left without any other resource; but care should be taken strictly to confine this institution to children of this description, and to oblige all those to maintain their own families who have the means of so doing. I shall not object to the payment of the bills drawn for the cloth and other articles purchased of Governor Hunter, Major Fouveaux, and Captain Kent.

The
Orphanage.

Macarthur's
stock.

But with respect to your proposal to purchase the stock as property of Captain McArthur I am of opinion that the purchase on the part of Government should be confined to that part of the live stock which will be the means of improving the breed, namely, to the English cattle and the Spanish sheep. The horses and the mares cannot be slaughtered, and will be more useful †

* Ante, p. 182. The instructions will be found on p. 191, ante.

† This letter is not now available.

‡ Ante, p. 184.

§ *Marginal note in the original.*—"This commission remains in the hands of Lieut.-Gov. Paterson's agents here." See the text of the commission, ante, p. 392.

|| Ante, p. 109.

¶ Ante, p. 392.

** Ante, p. 166.

†† Ante, p. 122.

ttlement as private property than as belonging to the
 . (Considering Captain McArthur in the capacity of an
 on duty with his regiment, I can by no means account for
 ng a farmer to the extent he appears to be, and I must
 disapprove of the Commanding Officer of the Corps to
 he belongs allowing him or any other officer to continue in
 ntradictory situations and characters.)

1801

— June.

His
extensive
possessions.

of opinion that Captain McArthur's farm, in the posses-
 an industrious and thriving settler (who alone can be the
 ser), will be fully as advantageous to the settlement as in
 ids of the Crown. The evil, and a great one it is, consists
 viduals who were not settlers (and whose characters and
 ns necessarily incapacitated them from ever becoming so),
 nabled at the publick cost to do that which should have
 one by the publick itself in the first instance.

Officers as
settlers.

r what I have said, it is almost unnecessary for me to
 e of your having published His Majesty's instructions which
 all officers, civil and military, being concerned in the im-
 portation and traffick in spirituous liquors.* I trust that
 g will make you relax in enforcing those instructions ; and
 er to strike at the root of this evil, you must in the most
 is and effectual manner enforce the Orders which forbid all
 s of vessels to land any spirits without your license for that
 e. Any master of a vessel who disregards those Orders
 not be allowed to remain in your port an hour, nor should
 : be suffered to return to it. In consequence of the repre-
 ons which I have made to the Lords Commissioners of the
 alty, their Lordships will order the Buffalo to return to New
 Wales as soon as she can be got ready ; and they will send
 her the necessary commission for vesting in you the same
 ity over the naval force in the settlement as Governor
 r possessed. I am also to add that their Lordships conceive
 poise cannot be placed in better hands than those of Mr.
 who is represented to be an attentive, diligent officer.

The sale of
spirits.The Buffalo
to return.

not disapprove of your having purchased the articles brought
 John Jay, American ship, and am glad to observe that in
 posal of part of her cargo, you have begun at last to defeat
 ls arising from the want of a more enlarged store for retail.
 nswer to your military letter, I have only to transmit to
 your guidance and direction the within copies of letters
 I have received from the Commander-in-Chief on that
 , and from the Barrack-Master General.†

Purchasing
stores from
an Ameri-
can.

ing's letter of 25th September, 1800, ante, p. 183, in which he states that he has
 certain "instructions" drawn up by him from verbal directions received from the
 retary prior to sailing, and from Hunter's instructions. See also instructions to
 and Paterson, ante, pp. 98 and 130, and pp. 199 and 203, from which it is evident
 took upon himself the responsibility of framing these instructions.
 Major-General Brownrigg's letter of 29th June, 1801, ante, p. 419.

1801
— June.
Lists of
convicts.
Free
settlers.

You will receive inclosed a list of the convicts to be sent out in the Canada, Minorca, and Nile, in which you will find stated the periods for which they are respectively transported according to their several sentences.

An account of the settlers who go to New South Wales in the above vessels will be communicated to you in a separate letter from Mr. King; and I have to desire that you will make a separate annual return of the settlers and emancipated convicts.

I enclose you the Parliamentary Estimates for the colony for this and preceding year.

I am, &c.,

[Enclosure.]

PORTLAND.

Estimates
for 1801.

ESTIMATE of the charge of defraying the Civil Establishment of New South Wales from the 10th of October, 1800 to the 10th October, 1801.*

	£	s.	d.
Salary of the Governor	1,227	7	7½
„ Deputy Judge-Advocate	224	0	0
„ Commissary	448	0	0
„ Provost-Marshall	112	0	0
„ Secretary to the Governor	112	0	0
For stationary	20	0	0
Salary of the Clergyman	224	0	0
„ „ at Parramatta and Hawkesbury	179	4	0
„ Surgeon	224	0	0
„ three mates, at £91 5s.	336	0	0
„ Assistant	61	6	6½
„ Surveyor of Lands	224	0	0
„ Boat-builder	112	0	0
„ two Deputy Commissaries of Stores	224	0	0
„ two additional clerks to the Commissary, at £60 per annum each	153	19	6
„ two assistant storekeepers	122	14	9½
„ nine superintendants of convicts, at £50 per annum each	551	18	10½
„ the Lieut.-Governor of Norfolk Island	306	16	11½
„ the Clergyman	117	15	9
„ Surgeon	159	13	1½
„ Deputy Commissary of Stores	112	0	0
„ one storekeeper	61	6	6½
„ Deputy Surveyor of Lands	112	0	0
„ three superintendants of convicts, at £50 per annum each	183	19	7½
„ one master carpenter	49	1	6½
„ one beach-master and pilot	61	6	6½
„ Deputy Judge-Advocate, at 8s. per diem	179	4	0
„ Provost-Marshall	85	18	1
Allowance to Governor Phillip in consideration of his meritorious services	613	13	10½
„ Mr. White, late surgeon	112	0	0
Upon account for fees on the receipt and audit... ..	245	9	7
Agent	184	3	0½
	<hr/> £7,148 0 0		

* This Estimate is printed exactly as in the original; but it appears to be for a greater period than twelve months.

the river from the N
SW. of Pecosville. 127
through the Mountain 11
that they got this
Natives who inhabit
thinly scattered, say
but from our own ex-
posed appear that a
difficulty in getting,

426

18

- J

List of
convicFree
settlersEstima
for 180

see people whom he had sent to the
to search for a Papage Westward
- all he can say at present is,
but with much difficulty. The
the back country, & who are extremely
there are better papages to be found,
experience, & the Native Account, it
the Wild Cattle will find some
far into the interior

1802

DR HUNTER TO SIR JOSEPH BANKS. (Banks Papers.) 1801

1st July, 1801. 1 July.

HUNTER presents his most respectful compliments to Sir Joseph, and informs him he has written to Portsmouth the things which were supposed to be on board the Sir Joseph, but he fears that some of the letters giving of such articles being shipped may have been written packages were sent on board, and that they may have been putting on board until it became too late. Capt. Hunter informs Sir Joseph that he has had brought up from the mouth one of the lily stalks with the root attached to it, which is about ten feet long, and the top, which has been on it, has the seed-pods appended to it. If Sir Joseph will experiment whether it will vegetate again or not, and if he has trouble to send a man to No. 40, Cornhill, in Capt. Hunter's name, it will be delivered.

Specimens
for Banks on
the Buffalo.

Hunter will, as soon as he can fall on his memorandums, inform Sir Joseph the information he received from the three men he had sent to the S.W. of Parramatta, to search for a passage westward thro' the mountains.* All he can say at present is that they got thro', but with much difficulty. The men who inhabit the back country, and who are extremely ignorant, say there are better passages to be found, but from their own experience, and the native account, it would appear that the wild cattle will find some difficulty in getting far into the mountains.

The passage
of the Blue
Mountains.

The wild
cattle.

DR KENT TO SIR JOSEPH BANKS. (Banks Papers.)

Buffalo, Portsmouth Harbour,
1st July, 1801.

I have the honor of receiving your letter of the 29th ult. and am happy to inform you that I have got the wool, seeds, and dried plants. The keg containing the water-mole and other articles in spirits, and the ing specimens of ores and stones, I have still on board. I have also a box marked No. 67, in which there is a jar, but the contents are now not. I await your commands.

Natural
history.

Yours, &c.,

WM. KENT.

I have the honor to inform you that the lilies and Norfolk Island flax-plants I packed in wet paper and directed them to you in Soho Square some time ago, I hope you received safe.

* See Appendix C, vol. III.

1801 [Draft in King's handwriting, not dated, but evidently written on or about July, 1801.]

GOVERNOR KING TO COLONEL PATERSON. (King Papers.)

Dear Colonel,

The schooner arrived here last Saturday (27th ult.*) with the coals, &c. As Lord† had sold his coals to the captain of the Cornwallis for £3 per ton, and to take his articles at 3 per cent. above the invoice, I made the same bargain with him for articles for the public use. The schooner delivered all the coals. She brought 24 tons, out of which I send two casks of porter, one for the Lady Nelson and another for the schooner people and the colliers. It appears by Mr. Grant's, as well as all your accounts, that the entrance into the river is not good and requires much caution. This, I hope, Mr. Grant and his assistant will be able to do away [with] by observing at what time of the tide and with what winds the going out, &c., is attended with more or less danger, and the advantages that are to be taken of such an intricate passage, so as to render its access less dangerous.

As far as I can judge from the description you give of the coal on Collier's Point, I certainly agree with you that it is the best place to work at for the present and future, as from what judgement I can form of the island from Barrallier's chart, it does not seem to me so secure a place for a vessel to lye in or load at, as liable to great hindrance (as the boat must depend on the tide if the wind sets in strong from the sea, which must be the case constantly in the summer; whereas it appears that Collier's Point is in some measure sheltered from those winds. However, if the coals on the island can be got at without any preparatory labour there no doubt may be times when a small vessel might load there. This must be confirmed by observation and experience. As the coal-mine will be permanent, I shall send Broadbent round by the Anne Josepha, which shall sail about ——.‡ I will then thank you to hear his opinion, and the other miner (Platt), where the best place would be to open the mine, supposing that the work cannot be carried on to as equal and as safe an advantage from below. I shall hear his opinion by return of the schooner. If you judge it advisable, be so good to set him to work.

From your representation, and the two gentlemen with you, I am so anxious to hope for great advantages from that river that I have sent Corporal Wixtead and five privates to take post there. Wixtead is recommended by Captain McArthur, and the private are of his own choice. I knew him formerly, and his character was always good. Among the soldiers who came out in the Cornwallis is a young man named Cole, brother to a captain in the

* Doubtless the Francis, which returned from Hunter River with coals towards the end of June, 1801.

† Simeon Lord.

‡ Blank in MS.

a clergyman of that name who is chaplain to the Duke
 ce, from all whom I have received letters about him. **1801**
 brother-in-law to Major Creswell. When he came here **A young**
 into the store with Captain McArthur's* concurrence, **soldier.**
 I think, is a fair opportunity of putting it in his power
 he esteem of his superiors here and his friends at home.
 erefore, requested Captain McArthur to allow him to go
 eper and to issue the provisions. I have recommended
 and him to be together. By the enclosure you will see
 ve endeavoured to supply their immediate wants, for
 uts, &c. The situation I will thank you to fix on, and **The site for**
 n to the instructions I enclose you will be so good to add **settlement.**
 you may judge proper and necessary. As a great many
 be ready, I hope soon to see the schooner back again,
 er much the public service has and will benefit by your
 and assistance, and that of Mr. Harris, where you are,
 you will make your stay or departure quite convenient **Paterson to**
 f. But in the event of your remaining until the survey **remain as**
 ed, I am well assured that every arrangement you may **long as he**
 to make will be not only judicious but highly beneficial **desires.**
 dic service, and to that particular part that you are now
 l.

ing salt works and lime, we will speak more of that **Salt and**
 At any event it is a sure resource, and I hope the **lime.**
 s of that river will be much increased by your dis-
 passage into Port Stephens. Respecting the time for
 ; I would wish it to be done thoroughly. If you cannot **A thorough**
 it by the 1st August you must take till the 1st Sep- **survey to be**
 ut on no account later, as it will then be more than **made.**
 to despatch Her Ladyship† to the south'd. However, by
 he schooner I shall hear your progres and inclinations,
 ansmit your observations to the Minister and Sir Joseph
 your own hand.
 ow despatching the Anne Mornington for India with
 ls. of Bengal and prepare for Barker's departure, which
 three weeks. I send you a few of the latest papers.

GOVERNOR HUNTER TO THE DUKE OF PORTLAND.

No. 17, Nottingham-place,

2nd July, 1801.

2 July.

d Duke,
 ur Grace's time being so fully occupied that I cannot
 onor of being admitted to an audience, renders it neces- **Hunter**
 [should request your perusal of the inclos'd. **denied an**
interview.

utnant-Colonel Paterson's absence, Captain Macarthur was the senior officer
 e military at Sydney.
 Nelson.

- 1801 The military officers who have accompany'd me from New South Wales having been directed to return immediat'ly, or by the first conveyance, to that country, as a duty I owe to His Majesty's service, and as a justice due to myself, I have to request that your Grace will direct before they depart that they may be examin'd as well relative to the advancement of the colony during my command as upon every other subject which can cast light on my administration of that Government, during which the existence of a faction or party in opposition to its public concerns will, I presume, thro' such an examination be made evident, and your Grace will probably learn of whom compos'd. In this examination I am desirous of including the civil as well as naval officers who have return'd to this country with me. They will, I trust, afford your Grace a sort of information which you should for the good of that colony possess.
- 2 July. Officers ordered back to colony.
- Hunter asks for them to be examined
- An interview with the Duke of York.
- Hunter complains of treachery.
- Sacrificed to screen others.
- I have had the honor of an audience of His Royal Highness the Duke of York,* and have explain'd some circumstances which I was of opinion His Highness was not sufficiently inform'd upon. The gentlemen whom I wished to be interrogated being most of them at this time in town, I am desirous no time should be lost for gaining that knowledge which they are capable of affording. Your Grace will no doubt see that when the character of an officer has been so treacherously traduc'd, and the manner of his return known, it becomes necessary before he can again offer himself for service it should be clear'd up to the satisfaction of his own friends and to the world. It becomes the more necessary in my case, when it is known that during seven years which I have had the honor of representing His Majesty in that remote part of the globe, I deriv'd from that respectable situation nothing but that honor. It has appear'd to me, my Lord, and to many of my friends, that by a sacrifice of my character is meant to be cover'd the disgracefull conduct of several persons serving in that country, and that I am to be permitted from the same cause to retire to some obscure corner of the kingdom, where my half-pay as a captain in the Navy may serve to furnish me with food during the remainder of a life, forty-seven years of which has been actively employ'd in the service of my King and country.

I have, &c.,

JNO. HUNTER

GOVERNMENT AND GENERAL ORDER.

- 3 July. 3rd July, 1801.
- Crown property, coals and timber.
- THE Governor judging it necessary for the public interest to declare the coals and timber which are to be procured at Hunter's River, to be the exclusive property of the Crown, and having thought fit to establish a port at Freshwater Bay, within that view, he strictly

* The Duke of York was then Commander-in-Chief of the British Army.

any boat or vessel going there for coal, timber, or any other
; without obtaining a special license from the Governor's
ry, stating the purpose of such voyage (that license he is to
; to the person in command there); and to enter into re-
nces, themselves in £50, and two securities in £25 each,
due performance of the following regulations, viz. :—
se one kind of basket, weighing one hundred weight, to
e the coals into and out of the vessel ; to take a regular
ce from the Naval Officer; to enter the vessel with the
in command at the river, and to give him a daily account
coals taken on board ; to receive a certificate from the
in command previous to leaving the river ; not to behave
ly or troublesome to the guard or people stationed at the
on arriving at this port to declare (on oath if necessary)
ality of coals, timber, or other articles they have on board ;
revious to hoisting the admission flag, security is to be given
; payment of the King's dues and fees, as hereafter stated.

1801

3 July.

Regulations
for colliers.

Dues and Fees.

	£	s.	d.	Fees to be paid.
se from the Governor's Secretary to go for coals, &c. ...	0	5	0	
our dues for Orphan Fund, as established 15th October, 1800.				
nce in the rivers to the person in command there ...	0	2	6	
for clearance certificate	0	2	6	

The King's Dues.

ach ton of coals for house consumption to be paid the				
Naval Officer	0	2	6	
ach ton exported from the River or from hence ...	0	5	0	
every thousand feet square of timber for home con-				
sumption	1	0	0	
very ditto, for exportation	2	0	0	
ge, per ton, on coals	0	1	0	
ure of timber, per thousand	0	2	0	

PHILIP GIDLEY KING.

NOTICE.

EAS, it is necessary for the safety of public and private pro-
that no prisoner (whose term of transportation has not expired)
wed to go off the stores, except two officers, or respectable
olders, who are freemen, give them a good character for
y and industry, and become answerable for their conduct ;
re, no prisoner will make application for such permission,
he can produce that testimony and security, and that he has
at least seven years of his time.

Prisoners
supporting
themselves.

NOTICE.

asters of ships are to take notice that when any of their
abscond from the ships to which they severally belong, or
en up after hours, that such masters must receive them on.

1801
3 July.

board again unless for a temporary punishment they wish them to be confined in gaol, in which case they must be victualled from the ship, and may be worked in the gaol gang or kept in confinement as the masters may choose. Masters will be held responsible for all gaol and other incidental fees.

The masters of ships are authorised to discharge any sailor by mutual consent.

The constable and jailors' established fee is 5s. per night, to be divided agreeable to the Governor's order.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS. (Banks' Papers.)

5 July.
Flinders at
Spithead.

H.M.S. Investigator, Spithead, 5th July, 1801.

You will no doubt, Sir Joseph, be surprised and as little pleased to receive a letter from me dated at this place as I am to date still from hence.

Waiting for
sailing
orders.

No instructions or sailing orders having been sent down, or anything by which I could judge that their Lordships had the Investigator in their recollection, I wrote to them on the 2nd requesting some instruction as to my neutrality towards French ships and those of other nations, for without an order to desist, the articles of war will oblige me to act inimically towards them. I also represented the prejudice that each days' delay would be to the success of the voyage, on account of the advanced state of the seasons; and indeed the main object of the letter was to remind their Lordships that we were still lying here and waiting only for orders. To this letter no answer has as yet been returned.

Results of
delay.

Cause of
negligence.

I have been able to learn that the instructions, the passport, Mr. Dalrymple's memoir, and the supplemental order to permit me to circumnavigate New Holland by the east, are in the same state as when I left London; and it is added as the probable cause that Mr. Nepean has been ill lately. It seems, also, that some doubts have arisen relative to the Lady Nelson, but of what nature I am not informed.

Informes Sir
Joseph
Banks.

I am indeed, Sir Joseph, ashamed of adding to the repeated trouble you have had about the Investigator, even that of reading a letter which speaks of nothing having been done, but I could not remain at Spithead in this way without informing you that we were so remaining.

Flinders's
programme.

My messmates, impatient to begin their labour, are botanising upon and examining the Isle of Wight for a day or two.

I fear that it will not now be possible to return to the south coast of New Holland from Port Jackson, so as to save any part of the summer; therefore, if my orders do not forbid it, I shall examine the south coast more minutely in my first run along it, and if anything material should present itself, as a strait, gulph, or

very large river, shall employ as much time in its examination as the remaining part of the summer may then consist of, for I consider it very material to the success of the voyage and to its early completion that we should be upon the northern coasts in winter, and the southern ones in summer.

Requesting you, Sir Joseph, to accept my apology for again troubling you, and my thanks for your repeated attentions and assistance,

I have, &c.,

MATT'W FLINDERS.

1801

5 July.

GOVERNMENT AND GENERAL ORDER.

7th July, 1801.

7 July.

THE civil officers in command at Parramatta and Hawkesbury will receive the Governor's directions weekly what grain or animal food is to be received into the stores from individuals, which order they will communicate to the storekeepers, who will give the parties a receipt (which they will receive from the officers in command, who are furnished with blank cheque and numbered receipts for that purpose), expressing the quantity of grain or animal food in words, and on what specific account it is received—whether for purchase or payment of articles from any ship, the public stores, or to be paid for, &c.—which particulars they will inform the Governor and Commissary of every Monday, by transmitting a return, the form of which they are furnished with.

Supplies
from settlers
to public
store.

The officers in command will also furnish the Governor with a weekly list of the numbers of the receipts they have given out, and for what purpose.

Receipts.

No grain purchased or received from individuals is to be received to the store on any other days than Fridays; and then to be measured in the presence of a respectable witness.

Should the storekeepers' returns be one week in arrear, they will answer for it at their peril, as well as for every other misconduct herein.

Store-
keepers'
returns.

No written receipt for grain or animal food given in to the stores since the 30th of June is valid; and every person lodging grain in the stores is to take a proper printed receipt from the storekeeper for all grain, &c., already given in, and to be given in after that date.

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord, Sydney, New South Wales, 8th July, 1801.

8 July.

By way of India I had the honour of addressing your Grace. I enclose a duplicate of that and one of this letter will be forwarded by the Albion, south whaler, which will sail direct for England a fortnight, and as this goes by the Ann, transport, by way of India, I have no doubt of the counterpart getting Home some months before this can possibly reach England.

King's
letters.

1801	By the <i>Britannia</i> , south whaler, I received a letter from Mr. Secretary King, enclosing a copy of a letter from Messrs. Enderbys and Champions, owners of whaling ships, to Lord Liverpool, with His Lordship's letters to Mr. King, and that gentleman's observations thereon; in consequence of which the owners of that ship sent an investment, well adapted for the inhabitants, to the amount of £1,647, under a bond to the East India Company to land it here. I directed the Commissary to receive those articles into a store, and retail them to the inhabitants on the terms specified in the enclosures* in exchange for their overplus grain supplied the public stores, and for which the proprietors have credit with Government. By this regulation they obtain necessities on the most reasonable terms, instead of paying from 500 to 1,000 per cent. to favoured retailing monopolists, which has but too much prevailed in this colony. Another whaler (the <i>Greenwich</i>) has since arrived, with a similar investment, which is disposing of on similar terms; and I hope, as the whale fishery is now established, it will be the interest of the owners to send a quantity of porter, which they can do at a cheap rate; and as they are determined not to send any spirits, that resolution, and the measures I am pursuing, will soon rid this colony of that poisonous fire that has so long raged, unfortunately for the credit, health, and tranquility of the inhabitants, it having been the only medium or requisite sought after. When the inundation of spirits is stopped, which must be the case in the course of this year, I hope the brewing beer will become common; but this has been much retarded for the want of hops, not a single plant having ever reached this country.
8 July.	
Whaling vessels.	
An investment.	
The prevention of monopoly.	
Importation of spirits prohibited.	
Spirits not allowed to be landed.	In the 10th paragraph of my letter, No. 3,† I stated the quantity of spirits brought here, and my refusing permission to an American ship (the <i>Follinsbé</i>) to land or dispose of any part of 13,000 gallons of spirits and 15,000 gallons of wine, with which, and the rest of her investment, she sailed a few days after her arrival, as did the <i>Missouri</i> , another American ship, with 7,000 gallons of spirits and 7,000 gallons of wine; and by the enclosed copy of a letter from me to the Marquis Wellesley, your Grace will observe that I have ordered 12,000 gallons of spirits, brought from India contrary to the spirit of His Lordship's proclamation, to leave this port after the vessel that brought it had time to refit, making together 32,000 gallons of spirits and 22,000 gallons of wine not allowed to be landed since last January. By the Naval Officer's enclosed quarterly reports of entrance and clearances, your Grace will observe, not only the great quantity of spirits attempted to be landed, but also the numerous dry goods that have been and are still arriving from Europe, America, and the East Indies. Whilst I have forbidden a great quantity of the spirits being landed, I have given every encouragement to the dry goods being
Excessive importation.	

* The terms were an advance of 50 per cent. on the invoice price. † Ante, p. 311

eft, under regulations of price and distribution. This advantage, together with the articles brought by the whalers, and the liberal supply of necessaries just arrived by the Earl Cornwallis on the part of Government, will release the inhabitants from that monopoly and oppression they have so long groaned under. But still, I am sorry to observe, that hitherto these advantages have been confined to a very few. As the severe wound given to the settlers and others' industry by the utter impossibility of procuring any article of use or comfort but at the expense of their farms, has deprived most of them (as appears by the enclosures)* of the means of profiting by the present low prices, and the regulations so necessary for an equal distribution as detailed in my General Orders, which I have the honour to enclose, and to which I respectfully call your Grace's attention, as explanatory of what my conduct has been, and will be, to endeavour accomplishing the task I undertook; and for the facility of reference to any particular subject, I have annexed a general index to those Orders.† Obnoxious as my conduct is (and I have no doubt will continue to be) to those who have made fortunes by a different system being pursued, I am encouraged in soliciting your notice and consideration of the purport of these Orders, and under that hope I shall forbear troubling your Grace with a repetition of many circumstances that ought otherwise to make a part of this letter.

1801

8 July.

Suppression
of mono-
poly.Impoverish-
ed settlers.King's
General
Orders.

In the 13th paragraph of my letter, No. 3,‡ I stated the calamities that had befallen the settlers at the Hawkesbury by the repeated overflowing torrents in that quarter, since when two still more destructive inundations have happened, and nearly swept that settlement away. Those repeated misfortunes have so disheartened many of those settlers as to give up the cultivation of their farms and to labour for others who are more persevering, and who, I hope, will prove more fortunate. I also expressed my apprehensions that these repeated losses of wheat stacks and growing corn would greatly effect the necessary economy to make the grain last till the ensuing harvest; and as not more than twenty-seven weeks' full rations of salt meat remained in the store (14th March), I was sensible that a consideration of our state and resources was necessary; but to reduce the ration of those at Government labour before the season for sowing wheat was over would (from the necessary reduction of public labour also) have prevented me from getting so much sowed for Government as has been done, I therefore deferred it, which was completed the 12th June, when, in consequence of the Commissary's return of provisions in the store, and what might be expected

Floods in the
Hawkes-
bury.Settlers'
losses.The food
supplies.

The ration.

* See the settlers' petition, ante, p. 412, and King's General Order of 23rd June, 1801, ante, p. 411.

† This index is very lengthy, and as the information it contains can be found in the index to this volume, it is omitted.

‡ Ante, p. 320.

1801
8 July.
A necessary
reduction.
Government
farms.
Salt pork.
Rice.
The supply
of grain.
Meat from
England.
Salt pork
from
Otaheite.

from individuals, as stated in the enclosure, I directed the ration to be reduced, as stated in the General Order of the day, of which the enclosed is a copy.* At that ration we shall remain until the next harvest, which, I hope, will be more abundant on the part of Government than it ever has been yet. Although I have been obliged to rent a large farm to employ the Government men on, but as the rent is to be paid from the produce, I have no doubt of its turning out very advantageous.† In my letter, No. 2,‡ I stated how very circumscribed Government cultivated lands were, and the cause of it. As I am now about beginning another farm for the Crown I shall take care that grants of land are not made to exclude Government from the ground cleared by the convicts at public labour, which has been the case at Toongabbe and Paramatta, to the great accumulation of expense to the public. In my preceding letters to your Grace, I have stated as fully as possible the necessity of salt pork being continued to be sent out to prevent the present good stock of labouring and breeding cattle being destroyed; and that I had it in contemplation to send the Porpoise to Madras or the Cape for a supply of grain. But as the merchants with whom I contracted for bringing cattle, &c., from India (as stated in No. 3)§ engaged to bring sixty tons of rice at £21 per ton in the ship that might bring the cattle, I took his offer, which I hope your Grace will approve of, as I have no doubt but we shall be in great want by the time that supply is received, as I much fear our estimate of remaining grain is over calculated, added to which a large stock containing 1,000 bushels belonging to an individual has been since destroyed by fire. Sending the Porpoise for grain, therefore, became unnecessary, as she could not have brought much more than that quantity; and a service equally necessary offering for that ship, which was then refitting, having been twice to Norfolk Island during the four months she had been here. As accidents might happen to ships coming here with supplies of meat from England, I determined on making two trials how far we might not only guard against the consequences of such failures, but also to endeavour rendering ourselves as independent as possible of those supplies from England. My first plan was to send the Porpoise to the Society Islands (with what articles of barter I could collect) to procure hogs and salt the pork; the other plan was to send one of the Colonial vessels to Norfolk Island to hold out encouragement to settlers to salt their overplus pork. Soon after I took the command, I caused the only salt-pan remaining in the colony, which had hitherto been used for the profit of an individual, to be worked for the public advantage. This, with some improvements, I hoped would enable me to get enough salt

* See the Government and General Order of 12th June, 1801, ante, p. 403.

† The rent paid for this farm was 15s. per acre; it contained 171 acres—post, p. 402.

‡ Ante, p. 178. § Ante, p. 322.

o despatch these vessels about August. Fortunately a whaler arrived with a quantity (fifteen tons) of salt from the Cape de Verde for the purpose of curing sealskins. As the master had given that idea up, I purchased it at three half-pence per pound, and was thereby enabled to send the Porpoise in May to Otaheite, and the Norfolk to Norfolk Island, which ensures much cooler weather to salt what pork they can procure. I have the honor to enclose copies of my correspondence with Pomarree, Chief of Otaheite, and the missionaries,* also my orders to the acting commander of His Majesty's armed vessel Porpoise, and my instructions to Major Foveaux, at Norfolk, on that subject. Your Grace will observe that what articles the stores did not furnish for barter was obliged to purchase, the expence of which is very small in comparison to the advantages I expect to derive from it, and it being more advisable to make that use of the ship than to let her be idle. Should this trial succeed, I shall be much at a loss for a ship of greater tonnage to send there next year. But, as this depends on our succeeding, I shall not press any other ship being sent here until your Grace's instructions in answer to my despatch by Governor Hunter are received. Referring your Grace to my separate letter in my general letter No. 3,† the duplicate of which is sent herewith, respecting the establishment such a ship might be on if sent out, His Majesty's armed vessel Porpoise being on the establishment of the Navy, and the provisions and stores for that ship being, of course, included in the navy and victualling supplies, and there being no agent victualler or naval storekeeper here, I conceived it necessary for the clearer statement of the expences of this colony to give the Commissary two orders, of which the enclosed are copies, which I hope will be deemed regular by the Navy and Victualling Boards, to whom I have written the enclosed letters on that subject.

Much as it has been my constant study and wish to avoid every cause of incurring expences, yet the local necessities of the public service has been such as to render it impossible for me to avoid this most disagreeable part of my duty without a great hindrance and consequent injury to the furtherance of His Majesty's service and the welfare of this colony. But having done away many and begun to remove other radical causes of these heavy expences, I hope and am indeed confident that if the restrictions I have found it necessary to establish are continued by those whom His Majesty may honor with the direction of this colony, that those expences will greatly diminish every year. But from former circumstances, and the difficult oppositions I have met with in effecting those savings, they will not appear so considerable this year as I could wish, although I trust it will be obvious by a reference to my General Orders, that many beneficial retrenchments and conclusive regulations have been established. For a statement of the

1801

8 July.

Purchasing salt.

Enclosures.

Articles of barter.

The Colonial navy.

The finances.

Cutting down expenses.

* Ante, pp. 242 and 279. † Ante, p. 334.

1801

8 July.

The detec-
tion and
removal of
abuses

indispensible expences incurred since I took the command to this date, I respectfully request your Grace's reference to the enclosed separate letters and the documents annexed thereto.

absorb
King's time.

Having been a year in the colony and nine months in the command, your Grace may expect that information which my situation requires me to give; but I am sorry to say that from the unremitting application requisite to arrange the different public concerns of this spreading colony—in doing which I have many destructive prejudices and precedents sanctioned by custom and established by interest, also long continued abuses and daring artifices to get the better of, detect, and remove—for the means I have used to obtain this end I beg to refer your Grace to my enclosed General Orders. These causes, together with the numerous arrivals within the last nine months, have so totally engrossed my whole time that I have not been able to pay that attention I wished in arranging the necessary materials I have for giving a fuller detail of the present state of this colony than the necessary enclosures to this despatch. These statements will be clearer to your Grace and more satisfactory to myself at the end of the year. I then hope to possess you very fully of every circumstance respecting this colony which it is so necessary your Grace should be informed of.

Shipping.

In my letter No. 3* I informed your Grace of the arrivals of the Porpoise, Lady Nelson, Royal Admiral, and Anne transport, with Irish convicts, by which vessels all the provisions and stores were received safe except 43 convicts who died on the passage on board the Royal Admiral and—on board the Anne. The Earl Cornwallis arrived the— instant, † having lost— male and— female convicts. ‡ The greater part of those landed are very much affected with the scurvy, altho' it does not appear that the agent or master have been wanting in attention to them.

The Lady
Nelson
passes
through
Bass Strait.

Having in my last informed that the Lady Nelson in coming here passed through Bass's Strait, agreeable to your Grace's directions and that Lieut. Grant was sent to survey and examine that passage, but from the inclemency of the weather in that high latitude at this season, his discoveries have extended no further than making a minute survey, and ascertaining Western Port to be a safe and spacious harbour for any number of ships. Lieut. Grant and the officers who were on that survey, report the soil about Western Port to be equal in goodness to that of Norfolk Island. § The important situation of that port, and its relative connexion with this settlement, points it out as a proper and necessary place to have a settlement at, not only from its convenient situation in the center of the straits for ships to stop at—

Western
Port.

* 10th March, 1801, ante, p. 315. † The Earl Cornwallis arrived on 12th June, 1801.

‡ Blanks in the MS. § Lieutenant Grant had never been to Norfolk Island; but it would seem that, at this time, the soil of Norfolk Island was regarded as a standard of excellence.

either by reason of adverse winds or any other cause, but also from its advantageous situation for a seal fishery, which will be more particularly explained on the chart sent by the Albion, which has been ably surveyed by Ensign Barrallier, of the New South Wales Corps, and who will be a great acquisition in surveying and delineating these hitherto unknown coasts, as, unfortunately, Lieut. Grant, altho' a good seaman, and a sober, steady, capable officer, yet has no knowledge of surveying and delineation, this necessary qualification in officers of the Navy not being so much attended to as the more active and important duties of their profession.

The Lady Nelson returned here the 15th May, and sailed from hence with another Colonial vessel* the 9th instant to examine and survey the Coal River, sixty miles to the northward of this place, from whence a prize vessel, purchased by an individual in this colony, has just returned with 150 tons of very fine coals and timber, which he has sold to the master of the Earl Cornwallis, going from hence to India, for £3 per ton. Being very anxious to ascertain how far that place can be depended on for a supply of that necessary article, and to ascertain its situation so far as to determine on the propriety of making a settlement there, I accepted Lieut.-Colonel Patterson's offer of going in the Lady Nelson to assist Lieut. Grant in making such observations as might guide my conduct in undertaking an establishment at that place, the result of which I shall inform your Grace on the schooner's return, as she is to be despatched with a load of coals as soon as possible after their arrival. Ever since I took the command, an experienced miner with eleven men have been employed boring in the most likely place to produce coals in this neighbourhood, as stated in my former despatches. He has got down ninety-six feet, but no coals, except very thin veins. As he is confident of coming to a bed of coal, it shall be continued until he gives it up, or until I receive Lieut.-Colonel Patterson and the other officers' reports, who are gone to examine the Coal River. As the Lady Nelson will return here by the 1st August, I intend to despatch her and another Colonial vessel, in September, to survey and examine Bass's Strait, and the south-west coast, as fine weather may then be expected.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

8th July, 1801.

My Lord,
With this I have the honor to enclose a statement of provisions remaining in His Majesty's stores, including that received by the Earl Cornwallis, with a present estimate thereon. The

* The Francis.

1801

8 July.

general statement and quarterly employment of those victualled from the stores should have accompanied this, but that the dispatches by the Albion will reach England sooner than this possibly can.*

Purchases
from
traders.

Necessity for
purchasing
stores.

Iron and
sugar.

Economy.

Crown
debtors.

In a preceding letter I had the honor of stating that, in addition to the articles purchased from the John Jay and Diana, American ships (duplicate vouchers for which have been transmitted), I found it necessary to direct the Commissary to purchase some articles from the officers of the Royal Admiral, and to make payment for wheat, &c., purchased from private cultivators, to supply those necessarily victualled from the stores, for the three quarters from Sept'r 28th (when I took the command) up to this date; since when it has been necessary to direct the purchase of some necessary articles from the master of the Ann transport, and from the supercargoes of the American ship Missouri, an abstract from which I have the honor to enclose, and vouchers for the payment will be sent by the Albion; and to explain the cause of incurring these expenses, I beg to request your Grace's reference to the enclosure containing the necessity of purchasing those stores for the public use of this settlement and of Norfolk Island, a part of which would have been unnecessary had I known what articles were coming by the Earl Cornwallis. But as no unwrought iron came by that ship, and as proportions of the sugar and other articles may be spared to individuals, at an advance, in exchange for grain and animal food, I trust that when the great quantities of the most useful articles brought for sale and our many wants (as stated in my letter by Gov'r Hunter) is considered, that my ordering these purchases will be approved of, as in our then state, it required some degree of denial not to supply the colony with many necessary tools that those at public labor were destitute of, which have since been supplied from those received by the Earl Cornwallis, and being generally in good condition, considerably diminishes our wants, a list of which, and their several necessities I enclose; in doing which I beg to assure your Grace I am guided by the strictest economy and exertion to make every possible saving in the expences of this colony, which I trust will be considerably less than they have been for some years past, supposing that saving only to arise from the great reduction of the price of grain and animal food, and enforcing the payment of debts due to the Crown since I took the command, the annual statement of which will be transmitted when the year's accounts, ending the 31st December next, are made out. In this place it is necessary to remark that our present scarcity of grain has not occasioned any increase in its price, and as every material statement will be made in the papers to be sent by the Albion of our present resources for provisions, &c., and its application, I have to request your Grace's noticing the number of

* The despatches by the Albion were dated 21st August, 1801, post, p. 462 et seq.

le I have found it necessary to strike off the public stores as 1801
 ng no claim to be maintained at the public expence. The 8 July.
 ig occasioned by that measure is very great.

the letter of which this is an enclosure,* I have stated my Payment for
 ons for directing the Commissary to draw on the Navy and stores.
 ualling Boards respectively for payment of stores and pro-
 ns purchased from masters of ships or other individuals for
 use of His Majesty's armed vessel Porpoise, which I hope
 be deemed regular.

he salt provisions (received very opportunely) and the stores Salt pro-
 by the Earl Cornwallis, are in good order, except some visions.
 les damaged by wet and leaks, which, altho' considerable,
 not yet be ascertained, as well as many articles received by
 Royal Admiral, which are very deficient of the quantities
 essed in the bills of lading, particularly the shoes, on which
 ect I shall write to the Transport Board by the Albion.

our Grace's instructions respecting the manner in which the Articles for
 les sent by the Royal Admiral and Earl Cornwallis are to be sale.
 osed of, are carrying into effect, and a separate account thereof,
 ell as all other public accounts of this colony, will be trans-
 ed yearly to your Grace, and my Lords' Commissioners of
 Majesty's Treasury. I have, &c.,

PHILIP GIDLEY KING.

13th July, 1801. 13 July.

TURN of military, passengers, and convicts received into His The Earl
 Majesty's Colony, New South Wales, from the ship Cornwallis.
 Cornwallis :—

ary.—1 sergeant, 1 corporal, 18 privates, 3 women, 1 child above 2
 children under 2 years.
 ngers.—7 men, 9 women, 17 children above 2 years.
 te.—166 men, 87 women.

JNO. PALMER,
 Commissary.

GOVERNMENT AND GENERAL ORDER.

14th July, 1801. 14 July.

ernor directs that vouchers for payment of grain, &c., Payment for
 l from individuals for the public use, be made up and grain.
 tled once a quarter, viz.—on the 1st of January, 31st
 30th of June, and 30th of September. And every
 the colony will take notice that neither the Governor
 mmissary are at all responsible for any payment after
 for the preceding quarter, which payments are to be
 ills on His Majesty's Treasury (for not less than one
 unds sterling) in copper money, or articles from the

This letter was enclosed in the preceding one of the same date.

1801 public stores. To those who prefer copper money, payment will
 14 July. be made on producing to the Commissary the storekeeper's printed
 and chequed receipts, subscribed by the Governor; or such articles
 from the public stores as the Governor may approve of, will be
 delivered on producing the receipts as above.

Goods from
 the public
 stores.

For the fourth time the inhabitants are informed that no appli-
 cations for any articles whatever from the public stores will be
 received on any other days than Mondays; and applications
 respecting the victualling store, and those who are supported from
 it, on no other days than Fridays. The hours of attendance at
 the Secretary's and Commissary's office on these days will be
 from eight till one o'clock.

Muster of
 settlers.

A muster of the settlers in and about Hawkesbury will be
 taken by the Governor on Friday, the 17th inst., at 8 o'clock in
 the morning, when every person cultivating ground, together
 with those who hold land by grant or lease, either in their own
 right, by purchase, assignment, or otherwise, are directed to attend
 with such grants at the Government House there. In failure,
 whereof the deeds that are not produced will be cancelled, and the
 allotments revert to the Crown.

PHILIP GIDLEY KING.

BREVET-MAJOR JOHNSTON TO COLONEL CALVERT.

16 July.
 Major John-
 ston to
 return to the
 colony.

Sir, No. 39, Allsop's Buildings, 16th July, 1801.
 I had the honor of receiving your letter of the 14th in-
 stant, informing me that directions had already been given to
 provide me with a passage to New South Wales on board the
 Minorca. I am sorry to inform you that the Minorca sail'd a day
 or two after I had the honor to transmit a memorial to His Royal
 Highness the Commander-in-Chief, which is almost a month since;
 but there are two ships now fitting in the river for New South
 Wales, and wishing to return, agreeable to the Commander-in-Chief's
 directions, by the earliest opportunity, I have to request I may be
 accomodated with a passage for myself and servant to New South
 Wales in one of the ships now fitting out.

I have, &c.,

GEO. JOHNSTON,

Capt'n and B.-Major, N.S. Wales Corps.

P.S.—The names of the ships fitting at Deptford are the
 Hercules and Atlas.

CAPTAIN FLINDERS TO SIR JOSEPH BANKS.

17 July.
 Flinders's
 sailing
 orders.

H.M.S. Investigator, Spithead, 17th July, 1801.
 I AM happy, Sir Joseph, in being able to acquaint you that I have
 received my sailing orders to-day with my instructions, passport,

, although the Admiralty have not thought good to permit me circumnavigate New Holland in the way that *appears to me* best suited to expedition and safety. I propose to put to sea to-morrow morning for Medeira, where I am directed to touch, though not at Jo Janeiro.

1831

17 July.

I am happy at being able to proceed upon the voyage even at a late period, and to say that I am much pleased with my messmates, who, as far as I can at present judge, are very orderly, well lined men, and fitted for the situations which they fill.

His messmates.

Most earnestly praying that you may see the examination of New Holland performed in the way that will be most gratifying to you.

I am, &c.,

MATTW. FLINDERS.

THE LADY SHORE MATTER.*

The Lady Shore transport, that was carrying convicts to Botany Bay, and whose crew mutinied and carried her into a Spanish port, has been recaptured, and carried into the Cape of Good Hope, by His Majesty's ship Tremendous.

The Lady Shore.

GOVERNMENT AND GENERAL ORDER.

18th July, 1801.

18 July.

General landholders having neglected to comply with the General Order of the 14th instant,† respecting the muster at the Hawkesbury, they are to appear at the Secretary's office, on Wednesday morning, the 22nd instant. In failure whereof, proper steps will be taken.

Muster of settlers.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

22nd July, 1801.

22 July.

Order of all the settlers and landholders in the neighbourhood of Sydney, George's River, Concord, Kissing Point, Liberty Plains, &c. be taken at Sydney on Saturday, the 25th inst., at eight o'clock in the morning, when every person cultivating ground, with those who hold land by grant or lease, either in right, by purchase, assignment, or otherwise, are directed to appear with such grants at the Secretary's office. In failure to do so, the deeds that are not produced will be cancelled, and the lands revert to the Crown.

Landholders in and about Sydney.

It being noticed in some individuals not appearing, the leases held by non-attendants will revert to the Crown immediately, on Monday next, at twelve o'clock.

PHILIP GIDLEY KING.

1801

GOVERNMENT AND GENERAL ORDER.

27 July.

Proclamation.

27th July, 1801.

Cancellation
of grants.

ALL grants and leases of lands, houses, and tenements within this colony, that have not been accounted for, as required by the General Order of the 14th inst., and repeated the 18th and 22nd inst., will revert to the Crown, by the register of those deeds being respectively erased in the Register Book.

The medical
staff.

Wm. Balmain, Esq., principal surgeon, having the Governor's consent to avail himself of the Secretary of State's leave of absence, and being about to embark for England in the Albion whaler, Mr. James Thompson, first surgeon's assistant, will, on Mr. Balmain's departure, take that officer's duty in his absence, and Mr. D. Wentworth will take the duty of assistant surgeon at Parramatta.

Officers of
volunteers.

In consequence of Captain Balmain (Commandant of the Sydney and Parramatta Association) going Home, and the necessity of Captain Thompson's (Captain of the Parramatta Association) removal from Parramatta, and Lieut. Palmer's resignation, the Governor, however anxious he is in applauding the good conduct of these officers and the inhabitants they have trained and disciplined in a manner that does them the greatest credit, yet, not having a sufficient number of officers on the civil department to appoint to those commands without being a hindrance to their professional duties, is therefore under the necessity of directing the associations to be disembodied; previous to which Captain Balmain will inform them of the Governor's approbation of their general good conduct and attention, and that should any future cause call their services forth, he will be equally sure of their standing forward as he is now convinced of their loyalty and zeal.

The force
disbanded.

John Harris, Esq., surgeon of the New South Wales Corps, is appointed Naval Officer in the room of Wm. Balmain, Esq.

Capt. McArthur will this day relieve Captain Piper at Parramatta.

God Save the King.

PHILIP GIDLEY KING.

4 Aug.

Officers as
farmers.

MAJOR-GENERAL BROWNRIGG TO UNDER-SECRETARY KING.

Sir,

Horse Guards, 4th August, 1801.

I have had the honor to lay before the Commander-in-Chief your letter of the 28th past, with extract of a letter from the Duke of Portland to Governor King, of New South Wales, expressing His Grace's disapprobation of Captain McArthur having been permitted to enter into extensive farming; and I am directed to acquaint you, in reply, for the information of the Duke of Portland, that a letter has been written to the Commanding Officer

* The letter to Governor King was that dated — June, 1801. The extract referred to will be found on p. 425, ante.

LISTS OF CONVICTS' SENTENCES.

445

he New South Wales Corps, expressing His Royal Highness's
re concurrence in the sentiments of His Grace, and positively
manding that the officers be not permitted, on any account
tever, to engage in the cultivation of farms, or in any occupa-
s that are to detach them from their military duties.

1801

4 Aug.

I have, &c.,

ROBERT BROWNRIGG.

GOVERNMENT AND GENERAL ORDER.

4th August, 1801.

having been this day discovered that, through the folly of
eral prisoners and the knavery of the Governor's clerks, that
former have paid considerable sums of money, watches, &c., to
latter for the purpose of altering their terms of transportation
n life to shorter rates (most of which have expired), some of
m, under the idea that this traffic was compleated, on finding
nelves disappointed by the evidence of the original indents,
t in the Governor's own possession, have made a confession,
ch has led to the discovery of several prisoners who have thus
a drawn into an expence they never can recover. Whilst proper
sures are taken for the punishment of this swindling act of
clerks, the Governor directs all persons who have had any
actions of this kind, either now or in Governor Hunter's time,
ive an immediate account thereof to the Governor's secretary.
his notice is disregarded, the strictest scrutiny will be made
the indents, and the offenders will receive such a punishment
t is hoped will prevent any future attempts of that kind.

Falsification
of transport
returns.

Punishment
of the clerks.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

6th August, 1801.

6 Aug.

ERY person victualled by Govt. is strictly required to attend
onally at the stores of the different settlements where they
victualled, excepting the civil and military, and such domestic
ants as are kept by the different officers—lists of whose names
to be sent to the Deputy-Commissary or storekeeper previous
he issue of provisions on Saturday next.

PHILIP GIDLEY KING.

LORD HOBART TO GOVERNOR KING. (King Papers.)

[Circular.]

ir,

Downing-street, 6th August, 1801.

His Majesty having been pleased to place the Department
he Colonies in my hands and to direct that all communications

Lord Hobart
vice Duke of
Portland.

1801 relative to the affairs of Government should be hereafter addressed
6 Aug. to me, I have the honor to acquaint [you] therewith and to assure
you that I shall not fail to lay your dispatches before the King,
and that I shall on every occasion avail myself of the earliest
opportunity to transmit to you the orders which His Majesty
may think proper to give thereupon. I am, &c.,

HOBART.

THE REV. R. HASSALL TO REV. G. BURDER, COVENTRY.
(Extracts.)*

8 Aug. Parramatta, 8th August, 1801.
The Rev. Samuel Marsden. The Rev'd Mr. Marsden hath also engaged to
preach at Kissing Point on the first Wensday evening of every
month, and acted accordingly. I believe he hath the work of
God at heart, and with unwearied zeal he goes on with the new
church in Parramatta, and what with is public situation (as head
superintendent of these settelments, as well as J.P.), the church,
and the orphan school he hath enough to do on a Sunday. He
preaches at Sydney in the morning and Parramatta in the after-
noon; is diligence in the above does him much credit.

Education at Kissing Point. The school at Kissing Point goes on as usual—in numbers much
the same, the master maintaining the character I have before
mentioned. Last June I paid him five pounds four shillings for
seven children schooling, whose parents were not able to pay
themselves. This, with other expences, is more than I can well
afford; but, at all events, I intend to continue the same a few
months longer, or till I hear from home.

School accommo-
dation. The schoolroom at Kissing Point is very comfortable, but that
at Toongabbie is very bad, having no floor, walls, windows, or
shutters; and at this time of the year the hearers tremble with
cold, which takes their attention off from the Word; but I have
it not in my power to make any alterations at present.

Lesson books
wanted. The schools in this colony are much in want of first and second
books, as well as spelling books, testaments, and Bibles. I have
had numberless applications for the above, and have given away
so that I have scarcely a book for the use of my own family. If
you can help me to any they will be greatly received; and as
my son Thomas is now learning Lattin, if you will be kind enough
to send me any books that will be useful to him or myself, you
will do me a great service. The quillities I leave to your judg-
ment; and if you go to any expence, if you let me know it shall
be returned.

I am, &c.,

ROWLAND HASSALL.

The Orphan-
age. P.S.—August the 17th 1801:—Last Sunday being the time
appointed for the opening of the Orphan School by a sermon being

* These extracts are printed from the papers of the London Missionary Society. The original letter is lost; and it may be presumed that these extracts were furnished by the Rev. G. Burder, by whom in all probability the original letter from Hassall was retained.

preached on the occasion, I thought it my duty to attend. Accordingly, on Sunday morning, Mrs. H. and self took a ride to Sydney, and returned in the evening. At ten o'clock Divine service began by reading the Church prayers. In the body of his sermon the Revd. Mr. Marsden gave a true description of the parents of the children of this colony; 2d, the children's exposedness to ruin on all hands; concluding all with an exhortation to the children, advice to the teachers, and encouragement to the Society from the example of good Nahemiha, urging them to go forward in the work they had engaged against all opposition, instructing them under their charge in the knowledge of Christ, whome to know is life eternal. The church was pretty well attended, and I pray that the Lord will crown the whole with his own blessing. I should have given you a fuller description of the sormone but that it is to be prented in London or Leeds, and my be purchased at full length, and I will thank you for a copy. After service was ended the Rev'd Mr. Marsden conducted us to the Orphan House (which is the best house in all Sydney, none exceped), where we was highly delighted with seeing the girls in the greatest order feasting on excilent sort pork and plumb puddin, and seemed very happy in their new situation. In short, the whole is much better then I could have expected, and does much credit to those who have the management of the institution. There are thirty-one girls received into the school for learning, clothing, bed, and board. The daly visitors are Mrs. King and Mrs. Patterson, the two first ladies in rank in the colony, which is much to their honour. May the Lord own the same for the spread of His kingdom is the prayer of your, &c.

1801

8 Aug.

An opening sermon.

The Orphan House.

R'D HASSALL.

GOVERNMENT AND GENERAL ORDER.

8th August, 1801.

FROM the litigious disputes occasioned by the arts used by the prisoners and others to evade or attend to Governor Hunter's Order of the 4th October, 1798,* as it suits their interest, the Governor strictly forbids any person who has the charge of public affairs in any part of the colony to suffer prisoners under sentence of the law to be taken from the place where they inhabit, on a summons or writ for debt; and the members of the present and future Civil Courts of Judicature are hereby enjoined to pay a due obedience to the above Orders.

Convict debtors.

PHILIP GIDLEY KING.

LIEUT.-COLONEL PATERSON TO GOVERNOR KING. (King Papers.)

Dear Sir,

Sydney, 11th August, 1801.

11 Aug.

I herewith enclose you an extract of my journal to Hunter's River, which I hope will prove satisfactory. The weather

* Vol. iii, p. 496. This was the Order in which Governor Hunter announced that if tradesmen were foolish enough to sell goods to convicts on credit, they would not be allowed to deprive the Crown of the services of such convicts by imprisoning them for debt.

1801

11 Aug.

Paterson's
expedition
to Hunter
River.

The two
rivers.

Manu-
facture of
salt.

being unfavourable prevented me from obtaining more information respecting the interior parts of that country, and the advantages that might be derived hereafter from forming a settlement.

The two rivers may become objects worth the attention of Government, one for wood, and the other (Hunter's River), from the excellent soil in its neighbourhood and not subject to floods, would, in my opinion, be a very fit situation for forming a settlement for the cultivation of grain or grazing.

With respect to making salt at the mouth of the river, I should recommend that work to be carried on, not within the harbour, but upon the sea coast, from the convenience of getting coal, and in summer it may be got with very little trouble.

Should Government ever find these few observations in the least useful, I shall feel myself highly flattered in having had this opportunity of communicating the same to you.

I am, &c.,

W. PATERSON.

LIEUT.-COLONEL PATERSON'S JOURNAL AND DISCOVERIES AT HUNTER RIVER.

Landing at
The Nobbys.

June 14, 1801.—Lieut. Grant and Mr. Harris left the vessel at $\frac{1}{2}$ -past 10 a.m., to examine the passage into Hunter's River. They landed on the island, which I named Coal Island.* About an hour afterwards I observed the new Union (which they carried with them) hoisted on the top of the island.

Towing into
the harbour.

On their return the boats were sent ahead to tow the vessel, and with the assistance of the sweeps, got barely under the lee of the island where they could bring to with safety, and were then obliged to let go a second anchor to prevent being drawn into the surge.

The site of
Newcastle.

June 15.—Early in the morning warped the vessel into a safe birth, round what is called Pirate Point, where there is [a] small bay and fresh water, which I named Freshwater Bay. Landed and examined the point of land where the coals are, and likewise the sea coast to the southward, where there is a continuation of the same strata, with this difference, that as the land becomes higher a fourth stratum makes its appearance, and much superior to the other three; but, unfortunately, from the constant surf it is not possible they can be conveyed from where they are but by land carriage. The point of land where I put the colliers to work I have called Colliers' Point. From this to the southward for some miles the hills are covered with excellent verdure without trees, except in the valleys, and they are chiefly Banksia new, or what is commonly called the white heath-suckle, but grows much larger than that found in the [neighbourhood] of Sydney. Those hills are so much alike to what I have seen sheep feeding on in England, that I have named them Sheep Pasture Hills. The soil is a light black mould about a foot and a half deep, after which is the stratum of stone and clay above the coal, as it appears in the accompanying sketch.

Sheep
pasture
Hills.

Creeks.

June 16.—Went up a creek that opens from the south'd into a bay about two miles above Colliers' Point, where it divides into several arms. The ground is low, and apparently subject to floods; the soil blackish, mixed with sand; the trees very lofty, mostly blue gum (*Eucalyptus*) and Casuarina. From the great quantity of driftwood all over this place, and

* Coal Island is now known as The Nobbys.

the country for many miles being low and intersected with creeks, I am convinced that the floods here are much higher at times than what has ever been known at the Hawkesbury.

1801

11 Aug.

June 17.—Went in company with Lieut. Grant to examine the above **creek**, which is called Mangrove Creek, but did not reach the end of it. **The** higher we got up the wider it became, and divided into many branches. **From** there being no driftwood here it is evident that no river falls into it, **nor** is there any high land nearer than the sea coast. Some of the people **where** employed to-day hauling the seine. Found quantities of fish and **great** variety.

Mangrove Creek.

June 17.*—Went up the river about five miles to the N.-west to an **island** called Ash Island, which takes its name for a very excellent wood, **similar** in quality to ash, and grows **as** large. This is not the only good **timber** that is found here. There is a species that resembles box, which **grows** to a large tree. Here I enlarged my collection of plants, many of **them** quite new and beautiful. The leaf of one of the trees stings much **worse** than the Roman nettle. The circumference of this island is about **six** miles.

Ash Island.

June 18.—Employed in arranging my collection.

June 19.—Went again to Ash Island for the purpose of pointing out to the sawyers the proper wood for cutting down. I saw some natives at a distance, but could not get near them, nor have we yet had any connection with the inhabitants of this neighbourhood. Accompanied by Mr. Harris went up Mangrove Creek. After rowing about four miles there was so little water that we were obliged to drag the boat over the flats. As soon as we got over found tide setting the contrary way, and perceived an opening into the main arm, where the vessel was at anchor opposite the south end of Ash Island, and at the entrance of what we suppose to be the principal river, which we traced about nine miles. Found the water rather fresh, and the country hilly, interspersed with high trees, mostly of the blue gum.

Natives.

Went to Coal Island to examine the strata of coal while Messrs. Grant, Harris, and Barrallier were sounding the entrance of the river. Found the base of the island a complete stratum of coal, from 18 to 22 inches deep, of an excellent quality. There is anchoring ground at the inner side of the island near to where the coals are, and a vessel might be loaded in a short time; but the preference must be given to Collier's Point, as the work can be carried on to any extent and at little expence.

Coal at The Nobbys.

Mr. Harris and myself went to Ash Island and to determine its circumference. Took some water with us for the sawyers. After rowing the greatest part of the day, we began to suspect that we had passed the channel that separates it from the other islands, which really was the case. At 3 p.m. we found ourselves in a large river, and the water so fresh as to be fit for use. Here the tide meeting the stream we had a heavy swell. About eight miles from where we returned the two rivers meet and divide again in different branches forming several islands, as will appear from Mr. Barrallier's survey. From the herbage, which is very luxuriant, and the quantities of oysters on the mangrove trees, those islands in my opinion would answer well for the purpose of rearing swine. This day I added some plants to my collection, particularly a species cocas, intirely new, from 60 to 80 feet high. From the several excursions I made during the time that the Lady Nelson lay in Freshwater Bay I am of opinion that Government might derive many advantages by forming a small settlement at this place. In the 1st instance, the coals are a principle object. 2nd. Boiling salt, which could be done with little labour. 3rd. Burning shells that are here in great abundance. Besides, salting of fish might be carried on with considerable benefit if some industrious fisherman could be found for that purpose, as the fish are plentiful

Exploration of the rivers.

Site for a settlement.

* It will be seen that the date, "17th," is duplicated. It is so in the original.

- 1801 and good. There is excellent pasture for cattle, but until where the river meet is not fit for cultivation. What I term forest land is remarkably fine soil. After getting the vessel as far up as Needle Island, there was not water enough for her to proceed any further. I now commence my observations from Needle Island, which is so named from its length and narrowness.
- 11 Aug. Exploring the country. June 29.—Accompanied by Mr. Harris and Mr. Lewin, I left the *Lady Nelson* with the launch to carry our provisions and what we thought necessary for an excursion of seven days, and a little boat belonging to Mr. H., which we found very useful; indeed if it had not been [for] it we could not have proceeded as far as we did. This day we got on about 16 miles, and rested the night on a rising ground which I called Greenhill. The soil is good but does not extend to any considerable distance. Here the water is fresh enough for use. The tide rises about four feet. Nearly half a mile above this the river, which your Excellency has done me the honor to name Paterson's River, formerly called the Cedar Arm, falls into Hunter's River.
- June 30.—Proceeded about 14 miles, the country generally low, covered with wood; very little of it fit for cultivation—not from the soil but from the lowness of the situation.
- A hut built. July 1.—This day we concluded ourselves 12 miles higher up, and as the banks of the river in most places are very low and swampy, we fixed upon the first dry ground for our headquarters, where we built a small tent but thatched with grass which grows luxuriant. Here is an extent of country for about three miles to the southward with several lagoons and rather low but except on the banks of the river not subject to floods. The soil in most places is good, thinly interspersed with fine lofty trees. This I named Shanks' Forest Plains in honor of Captain Shanks, the projector of the *Lady Nelson*, a gentleman much interested in the prosperity of this colony. The wood generally known by the name of cedar does not abound much in this place.
- Rapids. July 2.—Sent the launch back to the vessel. Mr. Harris attended me on a short excursion up the river about 6 miles. We found the stream in some places so exceedingly rapid that we were under the necessity of dragging up our little boat.
- July 3.—Set out again early in the morning up the river till 2 o'clock, pulling over some rapid streams. The country now became much higher, with good soil, and the banks of the river covered with cedar, ash, and what is called box. The extent of our journey to-day was to a beautiful green mount, from which we had a very extensive view of a low country almost surrounded with a high chain of mountains, bearing from N.E. to E.S.E., and about 20 miles distant. This I named Mount Anne, in honor of Mrs. King, being the first mountain commencing a range that extends about 9 miles. A remarkable mountain, in shape not much unlike the Peak of Teneriffe, which I named Mount York, bore S.S.W. This is a good land-mark for the entrance into Hunter's River, and is seen at a great distance. Returned to head quarters in the evening.
- Mount Anne. July 4.—Having fixed on Shanks' Forest Plain as our place of residence, in the neighbourhood of which is a large lagoon reported to be 9 miles across, and as the weather was very variable, I thought it better to convince myself of the nature and extent of this large sheet of water as described, and supposed to be the source of the Paterson River, than to undertake a larger journey towards the mountains until the weather became more favourable. About a mile higher up the river is a deep creel to the right, which from its direction gave us every reason to believe that it had communication with the lagoon.
- Schanck's Forest Plain. July 5.—We despatched the boat with three men up the creek while we proceeded by land in expectation they would be able to join us. After traveling about 3 miles, and passing some ponds with quantities of
- Lagoons.

ducks in them, but exceeding shy, we had from the top of a rising ground a view of the large lagoon, and was much disappointed in its appearance and extent. It is merely a chain of large ponds, and forms several small islands covered with reeds. The circumference may be 12 or 14 miles, but no part of it is 1 mile broad. From the number of black swans and wild ducks we saw here, we had no doubt of killing many, and with the assistance of the boat, provided it arrived, we should be able to get them out of the water. After waiting till late in the day, and neither hearing nor seeing anything of our people with the boat, we considered they had met with some difficulty in getting up the creek. We therefore returned to our hut after traveling from 9 in the morning till half-past 3 in the afternoon without resting or having the least refreshment. To-day we heard some natives, and saw a new canoe on the banks of the creek where we expected to have met our boat. From what I observed of trees cut down by the natives, which must have been with a much sharper edged tool than what their stone maga is, and from their shyness, I have little reason to doubt but that some of the European deserters are among them. The country round this lagoon is tolerable soil, and certainly affords food for the natives. The surface is much grub'd up, particularly where roots of ferns, orchises, and a species of arum grow, which had nearly been fatal to some of our people. Later in the evening the boat returned, but could not find any communication the creek had with the lagoon. The men said they had seen very fine trees of cedar and ash.

July 6.—Rain. Attempted to carry Mr. Harris's boat overland, but found our forces insufficient.

July 7.—Rain. As our provisions began to get rather short, and a probability of our being here for some time longer, we made another attempt of getting the boat to the lagoon by sending her again up the creek, to a place which is not 200 yards from it, and near to where we had seen so many black swans and wild ducks, of which we hoped for a seasonable supply. Mr. Harris with three soldiers attended the boat, which, with some trouble, was removed from the creek into the lagoon, and Mr. Lewin remained with me at the hut preserving birds that were shot the day before, and collecting wood to keep up a fire for the night. In the evening, on Mr. Harris's return, we found him much disappointed in his expectations, having only brought in 1 duck and 6 young black swans. The latter were alive, but died soon after. Continual rain.

July 8.—This morning fair but very cloudy, and as every one was anxious to trace the river as far as we could, and a probability of the weather clearing up, Mr. Harris and Mr. Lewin went to order the boat to return that we might take the earliest opportunity of prosecuting our intended plan of discovering, if possible, the source of the river. In the evening the boat came back, and Lieut. Grant joined us with two boats, and brought us a supply of provisions, which enabled us to proceed further up the river with more comfort than we otherwise could have done.

July 9.—Very showery. Reached about 4 or 5 miles above Mount Anne, running several rapid runs, which we had to drag our boats over. In the night some very heavy showers, which made our situation exceedingly uncomfortable.

July 10.—Continued our course up the river, winding between high hills almost every point of the compass, getting wider as we proceeded, but in places very shoal. About 1 o'clock p.m. came to a very high hill, where we alighted on purpose to reach the summit, where we might have an opportunity seeing what we had to expect in prosecuting our journey further. This is called Mount Elizabeth. It is the termination of the chain of mountains called King's Range, of which Mount Anne is the commencement. The range forms two-thirds of a circle, and, as I observed before, about 9 miles in extent, and their height from 5 to 700 feet. Mount Elizabeth is the highest, from where we had an extensive view of a low country for

1801

11 Aug.

Provisions running short.

Pushing on up the river.

Mount Elizabeth.

- 1801 many miles. The chain of mountains before mentioned, particul
westward, were more visible and appeared very rocky and per
11 Aug. Observing the river winding through this immense plain in many
gave us no hopes of reaching the source of it for some days, an
that the Lady Nelson was only victualled to the 1st Aug't, we
Returning to the ship. agreed to return, and on [our] way back to examine Hunter's R
we reached the vessel. From Schanks' Forest Plains to the ex
journey, the ground on both sides the river is good soil, and
banks are low there is abundance of useful timbers; indeed,
ash, and box are only found in low situations. The flood at this
river rises from 30 to 35 feet. I observed several large pie
washed up—a proof of its being in the interior as well as on the
July 11.—On our return we stopped at Mount Anne to refresh
and in the evening arrived at head quarters.
July 12.—Messrs. Grant, Barrallier, and Lewin left us to ret
vessel. As one of [the] oars was broken, it took us the greatest
day to make a new one.
Junction of the Hunter and Paterson. July 13.—Continued going down the river, and in the evening
Green Hill, where Paterson's River and Hunter's River meet.
July 14.—Mr. Harris accompanied me about 6 miles up Hur
which is very deep and about 200 yards wide. The ground on
for the first 3 miles is low and swampy. Many parts are cover
new hibiscus, which the natives use as flax for making their n
other purposes. This plant is much superior to the carradgan []
which is of the same species. As we got further up Hunter's
country became higher and very beautiful, mostly forest ground
thinly interspersed with lofty trees, and sometimes, indeed ac
a tree, the soil in general good, and the grass luxuriant. At th
our journey to-day we came to a high hill, which I named Mr
From its summit we had a very extensive view of the mount
mentioned to the westw'd, the round hills off the opening of Por
to the eastw'd and nor'w'd, Ash Island, the Harbour, Coal I
Collier's Point to the eastw'd and southw'd. On our return to
in the evening, we found Mr. Barrallier with seven days' provis
purpose of going on with the survey of this river.
July 15.—Mr. Barrallier left us early in the morning. As my
to examine the country as much as possible, Mr. Harris and mys
the small boat, continuing our journey up the river. After pass
King at 2 p.m., we came to another high hill, which I called Mo
but the weather was so very foggy that we could see but very li
country. We proceeded on in very heavy rain until 5 o'clock, and
for the night on a rising ground near the bank of the river.
quantity of rain that fell, we passed a most uncomfortable night.
Mount Grant. July 16.—Still heavy rain. Waited till noon, expecting tl
would clear up; but no appearance of change. We were now e
mined to persevere, and rowing on a few miles, passing several
both sides, the river began to narrow and shoal, forming sma
Until to-day we had seen no appearance of the river overflowing
but here it does in places where it is confined by high land from it
Great part of the water must be carried off by the creeks into the
which there are a great many, and consequently does not affec
lower down. At 2 o'clock we met Mr. Barrallier on his retu
formed us he had been 4 miles higher up, and was prevented pro
further on account of a fall of the river which he could not g
over. At this place the trees are remarkable for their height—
gum and a species of casuarina. One tree of the latter I measu
was 10 feet in circumference, and we judged it to be about 180
and perfectly straight. On this river there are neither cedar, as

From Mr. Barrallier's information, and the weather being very bad, together with the uncertainty of our receiving a supply of provisions which I had written for, I thought it better to return and leave the source of this river in doubt until a future period. We kept rowing down for four hours, and rested on the banks of the river for the night. Still very heavy rain. 1801
11 Aug. Return to the ship.

July 17.—The weather continued just as bad as yesterday. At half-past 7 in the morning put off with the boats, and rowed the whole of the day till 5 o'clock in the evening, when we got on board the Lady Nelson, having come a distance of about 30 miles.

W. PATERSON.

STATEMENT of the expence to the Crown for 30,000 lb. of salt pork procured at Otaheite by His Majesty's armed vessel Porpoise for the use of His Majesty's Colony in New South Wales. Cost of pork from Otaheite.

Exclusive of the Porpoise's Pay and Expences.

	£	s.	d.
Value of articles sent for barter	261	12	3½
Do. returned	87	4	2
Do. given in barter	174	8	1½
Present to Capt. Scott to remunerate him for entertaining the chiefs, &c. ...			
Hogsheads of wine	£26	0	0
Do. spirits	18	18	0
		44	18 0
Present to ship's company—			
360 lb. tobacco at 1s.	£18	0	0
60 suits of slops	60	18	0
		78	18 0
Total expence	298	4	1½
30,000 lb. pork at 2½d. and ¾d. per lb. is	298	4	1½

Including the Porpoise's Pay and Expences.

Estimate of Porpoise's pay and expence for 4 months at £7 a man per month for 60 men	1,680	0	0
Total expence	1,978	4	1½
30,000 lb. pork at 1s. 3¼d. is	1,978	4	1½

It is to be observed that had not the Porpoise been sent on this service she would have been lying in harbour or less usefully employed, and the expence of wages, &c., still going on.

PHILIP GIDLEY KING.

EX-GOVERNOR HUNTER TO LORD PELHAM.

No. 17, Nottingham-place,
14th August, 1801.

My Lord,

I rely for excuse on your Lordship's consideration of the subject of this letter. It is a liberty which nothing but the most extraordinary and unmerited treatment I have met with could have induc'd me to take. 14 Aug. Hunter appeals to Pelham.

- 1801 I will not enter minutely into a detail of the various circumstances which have for so long a time been matter of complaint from me as Commander-in-Chief in the territory of New South Wales to His Grace the Duke of Portland, as the Secretary of State under whose immediate direction I was plac'd, complaints, my Lord, of an official nature, and which I found myself compell'd by the duty I ow'd to His Majesty's service, and to the respectable office I had the honor to fill, to make, and to hope for instruction upon. I complained, my Lord, as the Governor over that remote part of His Majesty's dominions, that His Grace had by some means which I cou'd not develop been most gros'ly and unpardonably impos'd upon relative to my general conduct on the service intrusted by His Majesty to my care and management, and having been induc'd or prevail'd upon to act from, as I conceiv'd, anonymous, and therefore uncertain, information, to the prejudice of an officer of long establish'd reputation, I hope I may say without the imputation of vanity, for diligence, integrity, and justice. I complain'd that those misrepresentations had been listen'd to and press'd upon His Grace's mind without allowing or waiting for any reply from me, or any opportunity afforded me to demonstrate the imposition and untruth, and to repell such contemptible endeavours by an explanation, or by exposing to view the party from whom they had their origin.
- His official complaints.
- The Duke of Portland prejudiced by false reports.
- The Duke refuses to grant Hunter an interview.
- Negligence of the Home Office.
- Hunter asks for examination of officers.
- Since my return, my Lord, I have had great cause to complain that, altho' I have frequently call'd at His Grace's office, as well as house, I have not been able to gain admittance to an audience, an honor which I presume, from my rank in His Majesty's service, and the honorable situation I had fill'd for so many years (I trust with credit to myself and advantage to the public service), I might have believ'd I had a right to expect. Such an interview wou'd have given me an opportunity of convincing His Grace of the injury which had been done me, and the deceit which had been practis'd upon his authority.
- I have had great cause to complain whilst I held my office in that distant territory of the neglect which I experienc'd for the last four years of my command, a neglect evident to the whole colony. Yet, my Lord, I can with truth say that I did not suffer its concerns to stand still under all those disadvantages. The progressive advancem't of the settlement to prosperity was strikingly conspicuous under my administration of its government to all who had formerly visited it and were latterly there.
- I have requested since my return that His Grace would satisfy himself on this head, by directing that such of the officers of that colony as had lately return'd to England, and were now in town, might undergo an examination relative to the general concerns of the settlement. That he might learn from them what was its state when it fell under my authority, its government

generally, its various regulations, its public buildings, its civil police, its agricultural concerns, its stock of living cattle, the then acquaintance with the interior of the country and with its seacoast. I have signified to His Grace that there were amongst those officers some men of observation, and that I had no doubt they would speak their sentiments like men of honor; that they consisted of civil, military, and naval; but to this reasonable request His Grace has never honor'd me with any reply whatever, or has taken any step for insuring the information those gentlemen were capable of affording. I must, therefore, my Lord, beg leave, in order to your clearly understanding how far I may be justified in my complaint of the treatment I have receiv'd upon that service, to refer your Lordship to a perusal of those letters which I have written to His Grace in reply to those anonymous and contemptible attacks which were made upon me from that country, and which appear to have been so carefully laid before His Grace for the purpose of making the wish'd for impression to my injury. Those letters being regularly official, I can have no doubt have been entered. But from the treatment I have experienc'd since my return, I am led to think that in the hurry of public business he has been prevented from considering the subject of my various letters, otherwise I conceive it scarcely possible (consistent with His Grace's usual attention) that an officer holding such situation as I have held cou'd have experienc'd anything so extraordinary in the common course of public service, or of public justice. If His Grace had seen it proper upon any occasion to recur to my official correspondence, which I have so often altho' in vain requested, he wou'd have found that it teem'd with complaint against the conduct of some of the officers in that colony, whom from the local inconvenience which the public service wou'd have experienc'd, I could not remove from their respective offices at that distance; but His Grace cou'd have recommended it to His Majesty to take such steps as their conduct and the public service must have appear'd so much to require. Upon this subject I did look for instruction, but never receiv'd any reply, nor have any of my observations been taken notice of; and those very people who have form'd a faction or confederacy in that colony, and whom I consider as the authors of the anonymous informations which his Grace has thought fit to take notice of, are now exulting in the effects of their endeavours; and thro' His Grace's decision my exertions, which have been long, laborious, and excessive for the promotion of the public interest in that colony, has been oblig'd to yield to that of a faction, evidently formed for the more effectually carrying on that iniquitous business in which their whole time has been engag'd, and thro' which the true interest of that distant settlement has suffer'd so much. They are by this decision permitted to go on

1801

14 Aug.

Hunter's
requests
disregarded.

He refers to
his official
despatches.

The silence
of the Duke
of Portland.

Hunter's
complaints
against
officers.

He blames
them for his
recall.

1801 and I who have been an uniform and constant enemy to their
 14 Aug. destructive speculations and dealings, have been remov'd out of
 ——— their way. If your Lordship shall be desirous of gaining
 His enemy's triumph. information from any of those officers who have lately return'd
 to England, such as may now be at hand shall be inform'd.
 They are now under orders to return to the colony.

The feelings of an old officer. I shall only now, my Lord, repeat my request that should you
 be of opinion that I have express'd myself too warmly on this
 occasion, you will permitt the feelings of an old officer, who
 considers himself extremly injur'd, who is so thoroughly con-
 scious of the rectitude, justice, and general propriety of his whole
 conduct, not only on the service or dutys here alluded to, but
 thro' a constant and active service of His Majesty for forty
 seven years, to plead his apology. I have, &c.,

JNO. HUNTER

LORD HOBART TO LORD PELHAM.

15 Aug. My Lord, Downing-street, 15th August, 1801.
 The Colonial Office correspondence. I have the honor to acknowledge your Lordship's letter of
 the 12th inst., signifying His Majesty's pleasure that all the cor-
 respondence with the Governors of his colonies should for the
 future be carried on by me.*

I presume that the Duke of Portland will take an early oppor-
 tunity of communicating to me the arrangements which may
 have been made in regard to the successions to the vacant
 Governments. I have, &c.,

HOBART.

CAPTAIN BYNE† TO LIEUTENANT-GENERAL GRINFIELD.

16 Aug. Dear Sir, 16th August, 1801.
 An awkward situation. I took the liberty of addressing you by the last overland
 packet, dated 22d July, on the most interesting subject that ever
 occurred to me in my life. I now send you a duplicate of my
 letter, and most earnestly request that you will use your influence
 towards extricating me out of my unfortunate situation, and from
 the repeated kind remembrances you have in all your letters sent
 me I am induced to hope you will not withhold your exertions to
 serve me.

Early in the month of May, a L't Bellasis, a very old intimate
 friend and acquaintance of near twenty years standing, called

* On 17th March, 1801, Lord Hobart took office as Secretary of State for the Colonial and
 War Department in the Addington Administration.

† Captain Byne was Paymaster of the 16th Regiment, stationed at Bombay.

upon me, and requested I would wait on Mr. Mitchell, a civilian of Bombay, to account for a breach of promise of marriage to a sister-in-law of his, who was living in his house and immediately under his protection. From many marks of disinterested friendship and attention that I had received from him and his family, I felt myself bound to assist my friend in distress. I called on Mr. Mitchell for an explanation, and could not by any means obtain satisfactory reasons for his conduct, which appeared to me cruel and infamous. I did all I possibly could to appease but failed in my attempts. Many suggestions and propositions were made by me, and not one from them. Mr. Mitchell and his friend referred me to a letter which had been written to my friend, which letter I had previously seen, and had consulted with Mr. Bellasis' friends on the contents. We were all of opinion that it was by no means such as could be received in vindication for the injury done. They persisted in saying that unless that was received as an extenuation for his conduct, nothing further could be offered. Most of Mr. Bellasis' friends conceived the letter was an aggravation to his ill conduct, and contained fresh insult. Thus situated, I found that a meeting must unavoidably take place, which was fixed for the next morning. Before we went out Mr. Meikie, Mr. Mitchell's friend, called upon me to say that he could get no pistols anywhere. I asked him "What then must be done?" He replied, "He did not know, unless Mr. Bellasis would wave any objections he might have to Mr. Mitchell making use of one of his." My reply was, "I could see none whatever." We went to the ground, when Mr. Meikie loaded the pistols, had his choice of them, mentioned the distance they were to stand, and acquiesced to my friend having the first fire as the aggrieved person. I mention these circumstances, because it appeared in evidence that there was only one case of pistols seen on the ground, and many disagreeable reports have prevailed in Bombay. The only shot proved fatal, and the unfortunate man fell instantly. We left the ground, and I applied to a lawyer for advice, who recommended us to leave the island as soon as possible. We did so, but upon a consultation of our friends it was agreed that we should return and give ourselves up, which was done next day. I was admitted to bail, and my friend sent to a small fort for confinement. The sessions came on 14th July, and the Grand Jury found a bill against L't Bellasis and myself for the murder of Mr. Mitchell, but none against the other second, Mr. Meikie. We were put on our trials on the 15th July, when the fact was proved that Mr. Mitchell had fallen by the hand of L't Bellasis, and that I attended him. Many alleviating circumstances came out, such as Mr. Mitchell having for many months been paying his addresses to Miss King, the sister-in-law of L't Bellasis; that he had ultimately engaged her affections, proposed marriage to her, and obtained her consent, as

1801

16 Aug.

Seeking an explanation.

The challenge.

The duel.

Trial of the principals.

1801

16 Aug.

Verdict -
guilty of
murder.Mitigation
of the
sentence.Sentenced
to transpor-
tation.Endeavours
to obtain
a pardon.

well as that of her friends ; for dissimulated reasons he retracted his engagements, and declined any satisfactory apology. The Recorder charged the jury that whatever might have been the injury or insult, if the passions were allowed to cool and reason to interpose, that death in a duel is murder ; that juries sometimes assumed a power of attending to alleviating circumstances, but that in his opinion the circumstances disclosed were no alleviation whatever ; and recommended them on their consciences to find a general verdict of guilty or not guilty. Under the influence of the very heavy charge the jury, found us both guilty, but in consideration of the alleviating circumstances recommended us to mercy. The Recorder said that it was usual in these cases to pass sentence immediately, but the Court had a power of postponing it, which would be done in order to give him an opportunity of taking the opinion of his brother justices then on the Bench with him. The next day the jury met and explained by letter to the Recorder that when they recommended mercy it was a recommendation to His Majesty for his unconditional pardon. This letter the Recorder refused to accept. Every possible means and interest was now made by all our friends to mitigate our sentences. The Governor, the Commander-in-Chief here in a private way, and all the leading people in Bombay came forward to render us assistance. On the 18th we were told that our lives were safe ; on the 20th we were called up to receive sentence. On this morning the officers of the regiment presented a most handsome petition to the Bench, having voluntarily come forward and prepared it the day before. The Court sentenced Lt Bellasis to fourteen years transportation to New South Wales, New Holland, and me seven years to the same place, but declared its intention to recommend me to His Majesty for pardon, since my general conduct had been pointed out to them in so favourable a manner and most particularly by my brother officers.

The Recorder, I find, is very well inclined to render me all the assistance he can give towards the recommendation to His Majesty for pardon. The advocate for the prosecution has openly assisted my advocate in drawing up a petition and obtaining bail for me till the King's pleasure shall be known, and I expect to have my liberty in a few days. The prosecutor himself has sent to me and is ready to give me his services. The King's regiment and companies' officers are all ready to send me in their memorials for my pardon and restoration. The day sentence was passed the Court was uncommonly crowded, and scarce an officer off duty but was there. The Military and Navy are much enraged at the Recorder. He told them in these words "that they were on no account to determine any disputes in what they called an honourable way—no, not even if a man was called a coward ; no insult ever so great

or could induce them to fight a duel; they ought to come
Court, where the law would decide the affairs, and give
e damages to the aggrieved person." 1801
16 Aug.

r. Mitchell's conduct was infamous. He had deliberately
d Miss King's affections by assiduous attentions, and prof-
presents. You will doubtless say that Mr. Bellasis was wrong
ffering him to pay attention of any particular kind to his sister,
what could he suppose from a man who he had been on the
intimate terms of friendship [with] for many years?
d it be supposed that this man would deceive such a friend?
Mitchell throughout proves himself a hypocrite, and grossly
ved his own friends and relations, as appeared upon the
To them he defamed the character of Bellasis and his wife,
even that of the lovely young woman who he apparently
ded to make his wife. The cause of
the duel.

hat was Mr. Bellasis to do—how to act? What would the
r have said of both of us—will the Army agree with the
rder—what would my brother officer say—if a man was to
me by the nose and that I tamely went into a court of justice
edress? Should I ever be received again into my corps? and
d not the consequence be loss of honor? which to a soldier
n thousand deaths. My habits and customs of life tell me
my friend could not act otherwise than he did, and my
her officers have vouched for my conduct. I shall be truly
ous till I am favoured with a letter from you, as my situation
ry distressing. I shall, as usual, exert myself for the good of
regiment. Capt'n Richardson, who now commands here, will
his name, and I shall transact the business. A soldier's
honour.

* * * * *

have the pleasure to inform you that the inhabitants of Bom-
nearly to a man have signed a petition to His Majesty, praying
ny being pardoned and restored to my situation. If there could
ny doubt respecting the incorrectness of my conduct, I trust
this mark of attention from the inhabitants, and the handsome
ion from my brother officers will clearly do it away. I neither
for the one or the other; both are spontaneous acts of friend-
The Governor-in-Council having had the petition presented
im, has consulted with the Recorder, and it has been agreed
it shall be sent Home with the minutes of the tryal, the recom-
lation from the Court, and the petition from my brother officers.
packets are about making up. I must therefore conclude with
earnestly requesting that you will be pleased to afford me
interest and support with the Duke of York. Petition for
free pardon.

I am, &c.,

C. W. BYNE.

1801

[Enclosure.]

16 Aug.

OFFICERS' PETITION ON BEHALF OF CAPTAIN BYNE.

20th July, 1801.

To the Hon'ble Sir William Syer and his Associates of the Court
of Quarter Sessions,—

My Lord and Gentlemen,

The trial of
Captain
Byne.

We are impelled by our feelings for a friend and fellow-soldier to intrude upon the attention of your Hon'ble Court on behalf of Captain Byne, who is this day to receive your sentence for attending Lieut't Ballasis in an unfortunate duel. We can with confidence assure your Hon'ble Court that the disposition of Captain Byne has ever been benevolent and humane, and in a particular instance which occurred in the regiment, where he attended a respectable officer, Lieut't-Colonel Robinson, to the field on a similar occasion, his friendly interference prevented the fatal consequences which might have ensued. With respect to the unfortunate predicament in which he now stands, every conciliatory proposition was made by Captain Byne, who, finding all ineffectual, we conceive, from his long acquaintance and intimacy with Lieut't Ballasis, could not refuse attending him as a friend in the event which took place.

Permit us to mention the extensive distress which any sentence against our friend would occasion, and which would inevitably deprive him of the situation of Paymaster of the regiment.

Circum-
stances of
his family.

A widowed mother and two orphan sisters have long depended on his bounty for support, who, independent of their affliction for his fate, must also be consigned to poverty and distress. Besides this generous appropriation of the fruits of his œconomy, he has also, from a principle of the highest honor, directed a part of them to be applied to the liquidation of debts left by his father. Such are the merits of Captain Byne, whose character has been long known to us in the respectable situations of captain and paymaster of our regiment, and whom we now presume most earnestly to recommend to the mercy, the humanity, and compassion of your Hon'ble Court.

We have, &c.

[Signed by the commander and officers of the 16th Regiment]

JUDGE-ADVOCATE ATKINS TO GOVERNOR KING.

10 Aug.

19th August, 1801.

Functions
of Judge-
Advocate.

IN consequence of some recent circumstances that have taken place on the trial of Lieut't Marshall,* and feeling the delicacy

* The proceedings in this case will be found enclosed in Governor King's letter of 25th September, post, p. 524.

of my situation as Judge Advocate, I beg leave to submit the following observations to your Excellency's consideration. 1801
19 Aug.

It most probably may have escaped the observation of those persons who have not perused, or are ignorant, of the charter of this colony (under which the Court of Criminal Judicature is established), respecting the duty and power of the Judge-Advocate, who sits as presiding member of that court, upon whom it may appear more responsibility attaches, as a law officer, than really belongs to his office. His duty I conceive to be simply that of pointing out, or separating, the law from the fact; but he has only a single voice in the court, and it has happened, and will probably happen again, that the opinions of six members may coincide, and give judgement on a case contrary to the decisive and avowed opinion of the Judge-Advocate, which judgement is binding, and may go into the world apparently with the sanction of the Judge-Advocate's voice, when in fact it may be directly the reverse of his opinion. It is further observable that the Judge-Advocate has no absolute power to check or controul any illegality in point of law, or any informality in respect to the proceedings of the court, except by a formal protest, and your Excellency will readily observe what that would lead to was it often put in practice. It would create a constant opposition to the Judge-Advocate's opinion, on the supposition that he might wish to controul the members in the free operation of their judgement.

His duty and power.

Questions of law and fact.

Procedure in case of illegality or informality.

In collecting the sense of the members individually, the junior member gives his opinion first, and from him it passes to the next, and finally to the Judge Advocate, whose voice is of no greater weight than that of any other individual member acting from his own judgement on the case, and that he has no power of directing or influencing that judgement.

Arriving at the verdict.

Yours, &c.,

RICH'D ATKINS,

Judge-Advocate.

LORD HOBART TO GOVERNOR KING.

Sir,

Downing-street, 20th August, 1801.

20 Aug.

As it appears that, owing to some mistake or delay, Mr. Jamison's* commission as a staff surgeon in New South Wales was dated some time after his first appointment to that office, in consequence of which he would be deprived of the advantage of rising in his department in the regular line of succession, unless some order was given to you to the contrary, I am commanded to

Surgeon Jamison.

* See Jamison's letter to the Duke of Portland of 16th February, 1800, ante, p. 55.

1801
30 Aug.
To succeed
Balmain.

signify to you His Majesty's pleasure that, upon the decease ~~or~~ resignation of Mr. Balmaine, Mr. Thomas Jamison shall succeed to the situation of Surgeon-General of New South Wales, without any reference to the date of his present commission.

. Yours, &c.,

HOBART.

GOVERNOR KING TO THE DUKE OF PORTLAND.*

Sydney, New South Wales,

21 Aug.

My Lord,

21st August, 1801.

* * * * *

Government
farms.

In my letter, No. 2,† I stated the necessity of finding a situation to employ the convicts at public labor in cultivation. As the ground about Toongabbie and Parramatta (leaving only 380 acres) have very improperly been leased and granted to individuals, perverting Governor Phillip's plan of concentrating the labor of Government servants to one place, which would have greatly facilitated the public work and interest, instead of employing the convicts at public labor in detached situations, and not having people to direct their labor and secure the produce of it without incurring much additional expence, and even then the class that this confidence must necessarily be placed in have been too often detected in the abuse of it. I also intimated my commencing at a place begun the previous year; but the soil proving of the most unproductive kind, I fixed on a situation that Governor Phillip intended as a stock farm for Government,‡ the soil being of the best and most productive kind. Fifty men have been clearing it, and I hope much public benefit will be derived in raising grain and feeding Government cattle, which, after the approaching increase, must be divided into several separate herds.

Castle Hill.

Labour of
convicts.

The convicts at public labor had cropped all the cleared ground left for the Crown three weeks before the season was over for sowing wheat. It therefore became an object of necessity and economy to employ their labour in sowing as long as possible for the Crown, but there being no more public ground clear, and many private farms now lying waste (altho' the property remains in the grantees or the purchasers), it occurred that by renting one of them, which is the most productive in the colony for this year, until more ground can be cleared for the public, a great saving would arise. I therefore hired it at 15s. per acre, containing 171 acres, and is entirely cropped with wheat. If the season turns out well its produce will be upwards of twenty bushels an acre; the

Renting a
private farm.

* Parts of this letter are duplicates of that of 8th July, 1801, ante, p. 433; they have accordingly been omitted.

† Ante, pp. 177 and 436.

‡ Castle Hill.

the ground has produced thirty. The rent is to be found out of
 > produce. That farm is one among the many that are lying
 ste, and would be highly productive, but belonging to indi-
 viduals whose present involved state prevents them from cultiva-
 g those farms that have hitherto been worked, by the lure
 spirits in exchange for Government bills arising from their
 industry.*

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The influx of spirits being now greatly reduced, and I do
 t doubt will be entirely removed in another year, I trust we
 all then find that labour can be carried on without spirituous
 uors as well as with, altho' I am confidently told that from the
 ce of my ordering three ships away with 58,000 gallons of
 ne and spirits, that moment agriculture would lose its greatest
 port.

Restricting
importation
of spirits.

* * * * *

I had the honor of receiving your Grace's notification respect-
 g the happy union that has taken place between Great Britain
 d Ireland, and also of His Majesty's titles, with the alter-
 ion in the Union flag. As this information reached me the
 th May, I appointed the anniversary of His Majesty's birth-
 y for the public observance of this joyful event, which was
 nounced by a royal salute from our batteries and ships
 the new Union being displayed, and repeated in honor of
 e day at noon and one o'clock, with other demonstrations of
 r.†

The Union.

The King's
birthday.

On this occasion I released those among the Irish insurgents
 io were so troublesome previous to and some time after I took
 e command; and no appearance of the restless spirit with which
 ey were then actuated remaining, I hope they are convinced of
 sir improper conduct. As the cause no longer existed for keeping
 s Association armed, I have directed them to be dismissed
 m their attendance. In this place I beg to submit to your
 ace's consideration the situation of several persons who were
 nt here from Ireland during the late rebellion, many of whom
 ithout any sentence being sent here against them. During the
 me they have been here the conduct of many of them has been
 niformly good, and highly deserving. Situated as they are, how-
 ver meritorious their conduct may be, I shall not presume to
 extend the full effect of the prerogative His Majesty has been
 leased to delegate to the Governor of this colony on behalf of
 those people, not knowing to what extent their crimes have been
 carried in Ireland. Three of this description I have emancipated

Irish insur-
gents re-
leased.Political
prisoners.King ignor-
ant of their
offences.

* The Governor's action in renting this farm was approved by Lord Hobart.

† See the Government and General Order of 29th May, 1801, ante, p. 376.

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21 Aug. Fit objects for clemency.

conditionally not to leave this colony, but as some of them have left families in Ireland, and were, according to their account and the recommendations they brought with them, in good circumstances, I humbly beg leave to request your Grace's instructions how far it may be proper to extend His Majesty's mercy to this description of people by giving them free pardons, a list of some of whose names I have the honor to enclose in case your Grace should require such a reference.*

Falsification of convict lists

A few days previous to Governor Hunter's departure from this colony the person who acted as his clerk was discovered to have made several erasements in the indents sent with the convicts to this colony, which it has since appeared was done for the reward of £12 for changing from life to seven years, and more in some cases. It appears that at least 200 prisoners have had their terms thus changed, which has introduced such confusion into the indents and Orders in Council by which these convicts were transported, that there is great difficulty in tracing any convict's term of transportation but by secret enquiries and secondary means. It has lately been discovered that the clerks in my office have had similar transactions, and received considerable property from convicts to change their times; but as the indents and Orders in Council have been constantly in my own possession, they were very soon detected and a stop put to it, as your Grace will observe by the enclosed notice.† I have felt it my duty to state this circumstance to account for the numbers who may have been taken up in England as having escaped from this colony before their terms of transportation are expired.

stopped by King.

The Orphanage at Sydney.

I am happy to inform your Grace that the Orphan House at Sydney is inhabited by those deserted female orphans who are rescued from those scenes of prostitution and iniquity that disgrace the major part of the inhabitants of this colony, many of whom are from nine to fourteen years old; and such are the regulations and attentions paid to this establishment by those who have undertaken the charge of it, under my controul, that I hope the happiest effects will be produced by the institution in the future morals and happiness of the inhabitants. As this institution will not be attended with any material public expence, besides the house purchased conditionally on your Grace's approbation, I hope we shall be able to continue appropriating a part of the industry of the inhabitants to this laudable purpose. As the other Orphan House is now in hand at Parramatta for the reception of more of this forlorn class, who are not a bit better in any respect

An inexpensive institution.

The Orphanage at Parramatta.

* Lord Hobart, in replying to this letter, informed Governor King (29th August 1802) that good conduct alone was not a sufficient ground for unconditionally liberating these men, but that the Catholic priests, Dixon, O'Neill, and Harold, might be conditionally emancipated.

† See the Government and General Orders of 3rd October, 1800, ante, p. 224, and 4th August, 1801, ante, p. 445.

the natives, when that is finished, which will be some time (as our funds are getting low), attention ought to be paid to bringing the male youth into some bounds, and to seclude them from the bad examples they hourly witness among their abandoned brethren and acquaintance.

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the report of the Committee appointed by Governor Hunter to superintend and direct the building a county jail at Sydney, it appears that the expence of that undertaking (which is now completed) amounts to £3,954, including the sum of £1,000 lent by Governor Hunter on account of the Crown.* On my taking the command, the balance of that loan due to Government was £15s. 2½d., since when a sufficient sum has been raised by assessments on spirits and other strong drinks to repay that sum to the Commissary on account of Government, and for the appropriation thereof.

The gaol at Sydney.

have to request your Grace's reference to my separate letter, respecting the purchase of the Harbinger, now the Norfolk, which proceeding I hope will meet your Grace's approbation, such a vessel is much wanted, not only for the public use of the colony, but also to accompany the Lady Nelson on her voyages.

The Harbinger.

The enclosure† will inform your Grace of the quantity of stock belonging to Government and to individuals, with its increase and decrease since last year, also the number of acres sowed with wheat and to be sowed with maize. The number of Government cattle does not include the wild herds, which are in that ferocious state that getting them will be attended with great difficulty. Some attempts have been made, which will be renewed in the summer; but as they are got into the mountains behind the ocean, no certain calculation or dependence can be placed on that source for the present, except the satisfaction of knowing that they exist in great numbers, and are daily increasing. When the cattle I have contracted for being sent from India (as stated in my general letter No. 3)§ arrive, I think any further supplies of cattle will be unnecessary, as they will then breed as fast as they can be taken care of. In the separate statement of Government stock alone, your Grace will observe that more than one-third of the 343 cows are calving daily, while the rest are in an increasing state, which must make the increase very great in two years more, especially when the 150 cows from India are arrived.

Live stock and agriculture.

The wild cattle.

Importation of cattle.

* In regard to the arrangement made (and the cause) for building this gaol, see vol. iii p. 678 (note), 694, and 695 and note.

† King to Portland, 26th June, 1801, ante, p. 361 and note.

‡ Enclosure No. 4, post, p. 473. § Ante, p. 322.

1801 It will soon be necessary to give some of the labouring oxen among the most industrious settlers in exchange for grain.]
 21 Aug. haps some cows ought to be disposed of in the same manner.
 Exchanging cattle for grain. will therefore be obvious that beginning to support those ne-
 sarily maintained at the public expence from that stock for
 present, would exterminate the breed of what has cost so much
 bringing to that state it is now in ; and if all the sheep and ca-
 belonging to Government were killed for the support of the
 maintained by the Crown, it would not last longer than six
 weeks at the established ration, as stated on the back of the
 return. I have been the more particular in stating this cir-
 stance, to possess your Grace of the necessity of salt provis-
 being continued to be sent here for some time to come. Respect-
 the stock belonging to individuals, being private property
 course they would make as much of it as possible. Such part
 it as is now killed and bartered for the maintenance of those
 the stores, is sold—beef 2s. 6d., mutton 1s. 6d., pork 1s. per
 The assurance I gave the settlers that 6d. per lb. for fresh, at
 7½d. a pound for salt pork, has procured but a very small quantity
 and I think it my duty to persevere in the determination I have
 signified, not to give more than these prices on the part of Govern-
 ment on any emergency.

Live stock
 purchased
 from
 individuals.

In my letter by the Buffalo * I signified having drawn bills con-
 ditional on your Grace's approbation, in payment for the stock
 left by Governor Hunter, Major Foveaux, and Captain Kent. Mr.
 Balmain, principal Surgeon to the territory, has my permis-
 sion to avail himself of your Grace's leave of absence, and not being
 able to find purchasers for the cattle he leaves behind, I have
 directed them to be valued by proper people, and received in
 Government herds, until I am honored with your Grace's instru-
 tions upon this head. I have the honor to enclose an attested
 copy of that valuation, and have given a duplicate to the pri-
 or.

Foveaux's
 sheep.

In consequence of an application from Major Joseph Foveaux
 (who is now acting as Lieutenant-Governor of Norfolk Island) of
 the great inconvenience and consequent loss it is to him not being
 able to superintend his large flock of sheep at this place, he requests
 my purchasing them for the public ; but as this is a transaction
 I do not wish or feel myself authorised to undertake without your
 Grace's sanction, I enclose his proposals, and have to request your
 Grace's instructions thereon.

Sheep
 breeding.

I have had the honor of informing your Grace that every endeav-
 our is making by individuals who own so great a proportion of
 the sheep in the colony to improve the hair into wool by means

* The letter of 9th September, 1800, ante, p. 134.

three Spanish rams brought here in 1797, and that no pains would be spared to obtain the same object with Government flock. From the whole of the wool obtained last year from Government flock and that of individuals, 306 yards of blanketting has been made, and a proportion thereof returned to the latter for their wool. As our progress in this necessary manufactory must depend on the sheep being preserved, the wool improved, and the expence of purchasing the wool from individuals being done away with as much as possible, I beg to offer these as my reasons why Major Foveaux's sheep might be purchased, if your Grace thinks proper.

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Every exertion is making, as stated in my letter No. 3, to bring the flax manufactory to as great a degree of perfection as possible; 472 yards have been made within the last five months, and I shall continue to do my utmost for its advancement.

Flax
dressing.

By the Britannia whaler, which arrived here the 26th March, I had the honor of receiving your Grace's letter directing that one of the clergymen should be sent to Norfolk Island. As only one clergyman is now here (the Rev. Mr. Johnston having gone to England with Governor Hunter), who cannot be spared from the duties of this place, I had, previous to the receipt of your Grace's letter, directed a Protestant clergyman (the Rev. Mr. Fulton,* being one of the number whom I have mentioned in a former part of this letter) to go thither, and directed the acting Lieut't-Governor to allow him to perform the duties of a clergyman until another can be sent from England. I beg leave to recommend him for the salary allotted to the clergyman of that island. As the Rev. Mr. Johnston went Home with Governor Hunter's leave, and the time of his return not being stipulated, I beg to suggest the necessity of him, or a successor, being ordered here as soon as your Grace may judge proper. The Rev. Mr. Haddock, appointed chaplain to Norfolk Island, not having judged proper to come by several opportunities that have offered since his appointment, I presume it is not his intention to come at all.†

Clergyman
for Norfolk
Island.Rev. Mr.
Fulton.Rev. Mr.
Haddock.

Mr. William Balmain, principal surgeon, intending soon to avail himself of your Grace's permission to return to England, I respectfully request that Mr. Thomas Jamison, surgeon, of Norfolk Island (in whose place one of the assistant surgeons is now acting), may be ordered to return to his duty, or another person sent, as we are now very deficient of medical assistance.

The medical
staff.

* The Rev. Mr. Fulton was sent out in the Minerva with other Irish rebels. He arrived on 11th January, 1800. On 20th November following we find in Government and General Orders, "The Rev. Mr. Fulton will perform Divine Service at Hawkesbury on Sunday, the 7th December next."

† Governor King's assumption was correct; the Rev. Mr. Haddock remained in England.

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21 Aug.

Surveyor-
General Alt.His deputy,
Charles
Grimes.

I have the honor to enclose a copy of the survey held by Mr. Alt, Land Surveyor-General, also his memorial* praying for some provision for the few years he probably has to live, and which his services appear to merit. As he has done no duty there some years past, owing to his infirmity's, and Mr. Grimes, the Deputy-Surveyor of Norfolk Island, who I found here, having done Mr. Alt's duty and his own for some years, I have found it necessary to detain Mr. Grimes, and to appoint him to do the duty of Surveyor-General until I receive your Grace's directions; and as a surveyor is much wanted at Norfolk Island, I respectfully suggest the propriety of Mr. Grimes being appointed Surveyor-General, and a Deputy-Surveyor being sent out to Norfolk Island.

Norfolk
Island.The supply
of salt meat.

I am sorry to observe that, by a letter I received from Major Foveaux, at Norfolk Island, he states that the same causes which occasioned the failure of our crops have extended there, inasmuch that not more than five weeks and a half's grain remained in their stores, and but little more on the island when his dispatch was dated (as appears by the enclosed statement of that settlement, and other papers relative thereto), which he apprehends will greatly affect the existence of the large stock of swine, that used to be in such abundance, and seems to preclude any hope, for the present, of this place being supplied with pork from thence. The Major has sent the quantity of salt meat stated in the enclosure,† all which, except the last two hogsheads, were in the store when I left the island in 1796, and has never been got from thence till now. The Albion (by which ship this dispatch goes), touching at Norfolk Island, I have instructed Major Foveaux to transmit a particular statement of that settlement to your Grace.

Superinten-
dents.

I have the honor to enclose‡ returns of the superintendants and officers of the civil department in the execution of their respective duties and absent on leave, also the births and deaths since last return,§ and I have a great pleasure in communicating to your Grace the good state of health and general good behaviour of the inhabitants.

From the alteration made in the Royal Arms since the Union, I beg to submit the propriety of a new Colonial Seal being sent out, in addition to the Royal Standard and new Union flag, requested in one of my enclosures.

Yours, &c.,

PHILIP GIDLEY KING.

* See the originals of these enclosures, ante, pp. 340, 347, 348. Grimes was appointed Acting Land Surveyor-General, "until His Majesty's pleasure be known," by Government and General Order of 13th April, 1801, ante, p. 348. Alt's salary was £334 per annum; Grimes's salary, as Deputy, was £112 per annum.

† 24,590 lb.

‡ The enclosure is not available.

§ Enclosure No. 5.

SHIPPING.

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the particular quantity and quality of the loading of such vessels.

Time of Entry.	Ships' Names.	Masters' Names.	Built.	Number of		Where and When Built.	Where and When Registered.	Owners' Names.	General Cargo.	From whence.	Where and When Bonds given.
				Tons.	Guns.	Men.					
1800. 20 Sep.	John Jay	Ben' J. G. Dexter	American	464	12	35	— 1794	Providence, 20 April, 1791.	Brown & Co. ..	Providence.	1800. 30 Sep. Sydney.
20 Nov.	Diana	Jared Gardner	"	215	2	14	Salisbury, New Eng- land, 1783.	New Bedford, June, 1800.	Rodman & Co.	New Bedford.	21 Nov. Sydney.
22 Nov.	Royal Admiral.	William Wilson.	English..	923	24	70	London, 1777.	London.	Gabriel Gillet & Wm Wilson.	London, touched at Rio de Janeiro	22 Nov. Sydney.
18 Dec.	Trimmer Brig..	Alex'r Foggo ..	Pigou ..	100	2	21	Pigou, Jan., 1799.	Calcutta, 1 Aug., 1800.	Alex'r Foggo ..	Calcutta ..	18 Dec. Sydney.
1801. 1 Jan.	Speedy ..	George Quested	English..	313	..	24	London, 1779.	London, 22 Oct., 1791.	Enderbys ..	The coast whaling.	8 Jan. Sydney.
12 Jan.	Harbinger, Brig	John Black ..	English..	56	6	20	Quebec, 24 July, 1797.	London, 26 Oct., 1797.	Michael Hogan.	Cape Good Hope.	12 Jan. Sydney.
21 Jan.	Follensbé ..	James Berry ..	American	269	6	23	Salisbury, New Eng- land, 1797.	Newport, New England, Aug. 16, 1800.	Vernon & Co. ..	Newport ..	24 Jan. Sydney.
7 Feb.	Margaret, Brig..	John Buyers ..	English..	121	10	15	25 Nov., 1799.	London.	Turnbull & Co.	Cape Good Hope.	1801. 9 Feb. Sydney.
21 Feb.	Anne ..	James Stewart.	Foreign ..	384	12	42	Prize to the Dover and Cecilia.	Licensed at London, 9 April, 1799.	Princep and Saunders.	Cork, touched at Brazil last year, Cape Good Hope.	21 Feb. Sydney.
26 Mar.	Britannia ..	Robert Turnbull	English..	301	6	24	County of Dorset, 1783.	London, 7 June, 1787.	Enderbys ..	London ..	27 Mar. Sydney.

W. BALMAIN, Naval Officer.

1801

21 Aug.

Ships
entered
inwards at
Port
Jackson,

1801
21 Aug.
Ships
entered
inwards at
Port
Jackson.

[Enclosure No. 1—continued.]

A List of Ships and Vessels which entered Inwards in the Harbour of Port Jackson in His Majesty's Colony of New South Wales in the Quarter between the 30th day of March and 30th day of June, 1801, with the particular quantity and quality of the lading of such vessels.

Time of Entry.	Ships' Names.	Masters' Names.	Built.	Number of			Where and when built.	Where and when registered.	Owners' Names.	General Cargo.	From whence.	Where and When Bond given.
				Tons.	Guns.	Men.						
1801. 7 Apr.	Ocean ..	Abraham Bris- tow.	Foreign ..	243	2	22	Prize to the Camper- down, cutter.	London, 20 Apr., 1800.	Enderbys ..	Sperm oil and salt.	London ..	1801. 7 April. Sydney.
13 "	Chance Privateer ..	William White.	French ..	117	16	50	Prize ..	London ..	Michael Hogan	Wines and spirits.	Cape Good Hope.	13 April. Sydney.
2 May	Missouri ..	William Vickery	American	206	6	20	Phila- del- phia, 1800.	22 Dec., 1800.	Willings & Co.,	Miscellaneous	Phila- del- phia.	2 May. Sydney.
20 "	Greenwich ..	Alexander Law	English ..	338	2	23	London, 18 Sep., 1800.	London, 13 Nov., 1800.	Enderbys ..	Miscellaneous	London ..	20 May. Sydney.
29 "	Anna Josepha ..	Hugh Mechan ..	Spanish ..	170	2	..	Prize to the Betty whaler.	Sydney, New South Wales.	Lord & Co. ..	Miscellaneous	Hunter's River.	29 May. Sydney.
1 June	La Fortuné Privateer	Sinclair Halcrow	Foreign ..	492	22	90	Prize to the Ruby.	London, 8 Oct., 1800.	Hamilton & Co.	Tobacco	Cape Good Hope.	1 June. Sydney.
2 "	John, Brig ..	Samuel Fuller.	Danish ..	179	..	13	Prize to the Star.	Cape Good Hope.	Chace & Co. ..	Miscellaneous	Cape Good Hope.	2 June. Sydney.
12 "	Harrington, Bg.	Will'm Campbell	Bengal ..	180	6	35	Calcutta, 1796.	Calcutta, 16 Jan.	Chace & Co. ..	Miscellaneous	Last from Calcutta.	12 June. Sydney.
12 "	Earl Cornwallis	James Tennant.	British ..	784	20	72	Wilson, Tenant & Co.	Miscellaneous	Last from Cape Good Hope.	12 June. Sydney.

SHIPPING.

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the particular quantity and quality of the lading of such vessels.

Time of Clearing.	Ships' Names.	Masters' Names.	Built.	Number of		Where and When Built.	Where and When Registered.	Owners' Names.	General Cargo.	Whither Bound.	Where and When Bond Given.
				Tons.	Men.						
1800.	John Jay ..	Benj'n G. Dexter	American	404	12	36	— 1794	Providence, New England, April, 1797.	Brown & Co. ..	Vide Entrance wards.	China .. 1800. 1 Oct. Sydney.
1 Dec.	Dianna ..	Jared Gardiner..	"	215	2	14	Salisbury, New England, 1783.	Rodman & Co. ..	" "	" "	1 Dec. Sydney. 1801.
1801. 5 Jan.	El Plumier ..	Will'm Reid ..	Spanish.	250	2	13	Captured on the Coast of Peru.	Reid & Co. ..	Ballast	Cape G. Hope.	8 Jan. Sydney.
31 "	Follensbè ..	James Perry ..	American	269	6	23	Salisbury, New England, 1779.	Newport, 16 Aug., 1800.	Vernon & Co. ..	As per entry	China .. 31 Jan. Sydney.
4 Feb.	Speedy ..	George Quested	English...	313	..	24	London, 1779.	London, 22 Oct., 1791.	Enderbys ..	300 barrels oil.	On the Coast New Holland. 4 Feb. Sydney.
7 Mar.	Margaret ..	John Buyers ..	"	121	10	25	London, 26 Nov., 1799.	London ..	Turnbull & Co.	Sundries for the N.W. Coast of America.	9 Feb. Sydney.
10 "	Trimmer ..	Alex'r Foggo ..	Pigou ..	100	2	21	Pigou, Jan., 1799.	Calcutta, 1 Aug., 1801.	Alex'r Foggo ..	Ballast	Calcutta .. 1800. 18 Dec. Sydney.
28 "	Royal Admiral.	William Wilson.	English...	923	24	98	London, 1777.	London ..	Gillet & Co. ..	" "	China .. 22 Dec. Sydney.

W. BALMAIN, Naval Officer.

1801

21 Aug.

Ships cleared outwards at Port Jackson.

1801

21 Aug.

Ships
cleared
outwards at
Port
Jackson.

[Enclosure No. 2—continued.]

A List of Ships and Vessels which cleared outwards at the Harbour of Port Jackson, in His Majesty's Colony of New South Wales, in the Quarter between the 30th day of March and 30th June, 1801, with the particular quantity and quality of the lading of such vessels.

Time of Clearing.	Ships' Names	Masters' Names.	Built.	Number of			Where and when built.	Where and when registered.	Owners' Names.	General Cargo.	Whither Bound.	Where and when given.
				Tons.	Guns.	Men.						
1801. 7 Apr.	Anna Josepha ..	Hugh Meehan ..	Spanish ..	170	2	..	Prize to the Betsy whaler.	Sydney, N.S.W., Pr. Govt.'s Certificate.	Sincon Lord ..	Ballast ..	Hunter's River.	1801. 7 Apr. Sydney.
17 "	Ocean ..	Abner. Bristow ..	Foreign ..	243	2	22	Prize to the Camperdown.	London, 20 Apr., 1800.	Enderbys ..	270 barrels sperm oil.	Coast whaling.	7 Apr. Sydney.
25 "	Chance ..	Willm. White ..	French ..	177	10	..	Prize.	London.	Michl. Hogan ..	Ballast ..	Norfolk Is. and Coast Peru.	13 Apr. Sydney.
May	Britannia ..	Robt. Turnbull ..	English "	301	6	26	County Dorset, 1781.	London, 7 June, 1787.	Enderbys ..	Ballast and a few tons sperm oil	Coast whaling.	27 Mar. Sydney.
15 June	Missonri ..	Willm. Vickery ..	American	206	6	21	Philadelphia, 1800.	Dec. 2, 1800.	Willings & Co. ..	Some part of her cargo as per entry.	China ..	2 May. Sydney.
22 "	La Fortinè ..	Sinor. Hal-row ..	Foreign ..	402	22	124	Prize to the Ruby.	London, 8 Oct., 1800.	Hamilton & Co. ..	Ballast ..	Coast of Peru.	1 June. Sydney.

W. BALMAIN, Naval Officer.

IMPORTATION OF SPIRITS.

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[Enclosure No. 3.]

1801

of Spirits and Wine imported into His Majesty's Colony of New South Wales, between the 28th September, 1800, and just 21st, 1801, with the quantity sent away, and remains hat landed being lodged in His Majesty's stores, and given as the Governor grants permits.

21 Aug.

Spirits landed and sent away.

name.	Imported.		Landed.		Sent away.		Remains bonded in the King's name.		Price limited for spirits.
	Gallons.		Gallons.		Gallons.		Gallons.		
	Spirits.	Wine.	Spirits.	Wine.	Spirits.	Wine.	Spirits.	Wine.	Pergal.
..	1,400	276	1,400	276	..	..	..	..	s. d.
..	374	..	374	..	..	..	..	..	8 0
..	7,200	840	7,000	840	200	..	..	..	5 0
..	4,000	..	4,000	..	..	..	1,024	..	4 0
..	2,800	3,000	2,800	3,000	..	..	445	2,040	10 0
..	13,000	15,000	..	..	13,000	15,000	..	..	8 0
..	3,000	700	3,000	700	..	..	..	700	6 0
..	7,500	..	7,500	..	..	..	2,240	..	6 8
..	300	240	300	240	..	..	..	..	9 0
..	480	480	480	480	..	..	..	..	..
..	7,000	7,000	..	600	7,000	7,000	..	..	..
..	240	..	120	..	120	..	120	..	9 0
..	8,000	360	..	360	8,000	..	..	..	..
..	4,000	..	..	..	4,000	..	..	..	..
..	..	2,400	..	2,400	..	..	..	2,400	..
59,294	30,896	26,974	8,896	32,320	22,000	3,829	5,140	..	..

* American vessels.

† Indian vessels.

of the quantity landed, only 510 gallons of spirits have been purchased for the use of the colony.

[Enclosure No. 4.]

of Stock and Ground in cultivation belonging to Government and individuals in His Majesty's territory of New South Wales this 30th day of June, 1801.

Live stock and cultivation.

	Sheep.	Cattle.	Horses.	Goats.	Hogs.	No. of acres in Wheat.	No. of acres of Maize to be planted
to Government	777	880	30	..	..	476	300
to individuals	6,269	362	211	1,259	4,766	4,857½	3,564
total	7,046	1,242	241	1,259	4,766	5,333½	3,864
mastered, July, 1800*	6,124	1,044	203	2,182	4,026	4,065	2,930

* Included for the purposes of comparison.

HISTORICAL RECORDS OF NEW SOUTH WALES.

1801

[Enclosure No. 4—continued.]

21 Aug.

A RETURN of Government's Stock, June 30th, 1801.

Government
live stock.

District.	Horned Cattle.					Horses.					Sheep.				
	Bulls.	Cows.	Bull calves.	Cow calves.	Oxen.	Store Horses.	Mares.	Fillies.	Colts.	Geldings.	Rams.	Ewes.	Wethers.	Ewe lambs.	Wether lambs.
Parramatta	5	210	88	107	27	1	23	1	3	12	5	320	187	187	73
Toongabbe	5	93	68	109	23	..	..	..	..	..	..	..	..	..	..
Seven Hills	2	24	10	24	8	..	..	..	..	..	..	..	..	..	..
Sydney	1	16	7	7	35	..	..	..	..	..	..	..	..	..	..
Total	13	343	179	247	98	1	23	1	3	12	5	320	187	187	78
Increase since last return .....	..	..	8	19	..	..	..	..	..	..	..	..	10	60	12
Decrease since last return	1	9	..	..	8	..	..	..	..	..	..	4	..	..	..

JNO. PALMER, Commissary.

Killed and issued to the sick in the General Hospitals, Sydney and
Parramatta, in lieu of salt meat 13 wether sheep
Killed and issued to those victualled from the stores in lieu of salt meat... 15 bullocks.

PHILIP GIDLEY KING.

[Enclosure No. 5.]

Births and
deaths.

RETURN of Births and Deaths, February to July, 1801.

Month.	Births.				Deaths.						
	Civil and Free People.		Convicts.		Civil and Free People.			N.S.W. Corps in Hospital.	Convicts in Hospital and Quarters.		
	Male.	Female.	Male.	Female.	Men.	Women.	Children.		Men.	Women.	Children.
February	1	1	1	..	..	..	....	4	1	..
March ..	1	..	5	2	..	..	1	....	3	..	..
April	1	1	4	..	..	..	....	4	2	..
May	10	4	1	..	..	....	1	..	2
June	1	4	3	..	..	..	....	5	..	..
July	2	5	2	..	..	..	....	5	..	..

W. BALMAIN,

Surgeon to the Territory of New South Wales.

GOVERNMENT VESSELS.

475

Supply ..	Brig ..	60	Brig ..	56	Schooner ..	40	Sloop ..	11	Very old	Condemned ..	£ s. d.	£ s. d.	Employed to receive empty casks and other stores; will be converted into a receiving bulk for incorrigible convicts. Arrived from England in December, 1800; has since surveyed western port in Basses Straits, and is now on the survey of Hunter's River, where the coals are; in September she goes to prosecute the survey and discoveries in Basses Straits, and on the south-west coast of New Holland. Is now gone to Norfolk Island for salt meat; will be employed in the summer months in assisting the Lady Nelson in her survey of the south-west coast. Has been actively employed in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River. A very useful vessel for bringing grain, &c., from the different settlements, and many other very useful purposes. Variouly employed in the Harbour.
Lady Nelson ..	Brig ..	60	Brig ..	56	Schooner ..	40	Sloop ..	11	Very old	Condemned ..	£ s. d.	£ s. d.	Employed to receive empty casks and other stores; will be converted into a receiving bulk for incorrigible convicts. Arrived from England in December, 1800; has since surveyed western port in Basses Straits, and is now on the survey of Hunter's River, where the coals are; in September she goes to prosecute the survey and discoveries in Basses Straits, and on the south-west coast of New Holland. Is now gone to Norfolk Island for salt meat; will be employed in the summer months in assisting the Lady Nelson in her survey of the south-west coast. Has been actively employed in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River. A very useful vessel for bringing grain, &c., from the different settlements, and many other very useful purposes. Variouly employed in the Harbour.
Norfolk, late Harbinger ..	Brig ..	56	Brig ..	56	Schooner ..	40	Sloop ..	11	Very old	Condemned ..	£ s. d.	£ s. d.	Employed to receive empty casks and other stores; will be converted into a receiving bulk for incorrigible convicts. Arrived from England in December, 1800; has since surveyed western port in Basses Straits, and is now on the survey of Hunter's River, where the coals are; in September she goes to prosecute the survey and discoveries in Basses Straits, and on the south-west coast of New Holland. Is now gone to Norfolk Island for salt meat; will be employed in the summer months in assisting the Lady Nelson in her survey of the south-west coast. Has been actively employed in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River. A very useful vessel for bringing grain, &c., from the different settlements, and many other very useful purposes. Variouly employed in the Harbour.
Francis ..	Schooner ..	40	Schooner ..	40	Schooner ..	40	Schooner ..	40	Schooner ..	Condemned ..	£ s. d.	£ s. d.	Employed to receive empty casks and other stores; will be converted into a receiving bulk for incorrigible convicts. Arrived from England in December, 1800; has since surveyed western port in Basses Straits, and is now on the survey of Hunter's River, where the coals are; in September she goes to prosecute the survey and discoveries in Basses Straits, and on the south-west coast of New Holland. Is now gone to Norfolk Island for salt meat; will be employed in the summer months in assisting the Lady Nelson in her survey of the south-west coast. Has been actively employed in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River. A very useful vessel for bringing grain, &c., from the different settlements, and many other very useful purposes. Variouly employed in the Harbour.
Bee ..	Sloop ..	11	Sloop ..	11	Sloop ..	11	Sloop ..	11	Sloop ..	Condemned ..	£ s. d.	£ s. d.	Employed to receive empty casks and other stores; will be converted into a receiving bulk for incorrigible convicts. Arrived from England in December, 1800; has since surveyed western port in Basses Straits, and is now on the survey of Hunter's River, where the coals are; in September she goes to prosecute the survey and discoveries in Basses Straits, and on the south-west coast of New Holland. Is now gone to Norfolk Island for salt meat; will be employed in the summer months in assisting the Lady Nelson in her survey of the south-west coast. Has been actively employed in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River. A very useful vessel for bringing grain, &c., from the different settlements, and many other very useful purposes. Variouly employed in the Harbour.
Two long boats .. Three pinnaces .. Three small boats .. A large flat ..	Brig ..	60	Brig ..	56	Schooner ..	40	Sloop ..	11	Very old	Condemned ..	£ s. d.	£ s. d.	Employed to receive empty casks and other stores; will be converted into a receiving bulk for incorrigible convicts. Arrived from England in December, 1800; has since surveyed western port in Basses Straits, and is now on the survey of Hunter's River, where the coals are; in September she goes to prosecute the survey and discoveries in Basses Straits, and on the south-west coast of New Holland. Is now gone to Norfolk Island for salt meat; will be employed in the summer months in assisting the Lady Nelson in her survey of the south-west coast. Has been actively employed in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River. A very useful vessel for bringing grain, &c., from the different settlements, and many other very useful purposes. Variouly employed in the Harbour.

Vessels Building.—Cumberland schooner, 28 tons; will be finished about September next. Portland brig, 100 tons, in frame; no shipwrights to finish her. Two boats.

PHILIP GIDLEY KING.

1801

21 Aug.

1801

GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord, Sydney, New South Wales, 21st August, 1801.

21 Aug.

Employ-
ment of the
Lady NelsonExamina-
tion of
Western
Port.

Enclosures.

Eye drafts
only.Hunter
River.

With this I have the honor of forwarding the duplica-
its enclosures, in which your Grace will observe that vessel sailed
in March last to prosecute your instructions; but, I am sorry
say, from the same unheard-of bad weather we have had her
her commander was not able to execute the whole of the orders
he sailed under, further than ascertaining that Western Port
in Basses Straits to be a safe and commodious harbour, which
from its central situation in that passage, and being capable of
sheltering vessels of any burthen, will hereafter be of great
utility to vessels meeting with foul winds in passing through
these straits. Lieut. Grant, and the officers who were with him,
give a most advantageous account of the excellence of the soil
and the great abundance of seals in its neighbourhood. Such
parts of Lieut. Grant's journal as may afford information on this
subject I have enclosed, together with a copy of Lieut. Grant's
passage thro' the straits on his passage hither from the Cape,
No. 1;* Mr. Black's passage thro' in the Harbinger, No. 2;† and
the Margaret's, No. 3; together with Ensign Barralier's survey in
the Lady Nelson of Western Port, and the connexion of the
coast between it and Wilson's Promontory, No. 4; which was all
the bad weather would allow Lieut. Grant to examine. He re-
turned here 15th May. It is necessary to remark, for the reasons
stated on the above charts, that they cannot be considered as per-
fect and conclusive, being only forwarded in this state to possess
your Grace of what has been done. The Lady Nelson is now re-
fitting (for repair she wants none) to renew the execution
the orders she first sailed under; and I hope the service of the
colony will admit of the Norfolk brig's going with her, when
much may be done in accomplishing your Grace's instructions,
they will sail from hence the latter end of September, and I hope
on their return to be able to transmit a finished survey of the
S.W. coast, and the western entrance of the straits, the eastern
entrance being well ascertained by Lieut't Flinders.

The Coal River, 70 miles to the northward of this place, which
was seen by a lieut't of the Reliance in 1798,† and named by him
"Hunter's River," not having been since examined or any survey
taken of it, I was anxious to ascertain how far it might
accessible to vessels, and could be depended on for a supply
coals, and as the service allowed of Lieut.-Colonel Paterson's

* See Enclosure No. 1. † These three enclosures are missing.

‡ The river was discovered and named by John Shortland, jun., first-lieutenant of the
Reliance, on 19th September, 1797. He had been sent by Hunter in pursuit of convicts who
had escaped in the Government vessel the Cumberland. He proceeded as far north as Port
Stephens in the Governor's whale-boat, and it was while returning, close in shore, in quest of
the fugitives, that he discovered the entrance to the river. Vol. iii, pp. 347, 481, 717.

absence, I accepted his offer of accompanying Lieut. Grant in the Lady Nelson on that service. That vessel and the Colonial schooner sailed from hence the 10th June, and returned the 25th July. I enclose the narratives* of that excursion, which, with Ensign Barralier's accurate survey of the Coal Harbour and its rivers as high as they went, will give your Grace the details of that examination. But it is much to be regretted that the entrance into the harbour is so very shallow and difficult, as the wind and time of tide must always be consulted in going in or out; and even under the most favourable circumstances there is the greatest cause for being more than commonly careful. However, notwithstanding this disadvantage, the other advantages respecting the very great quantity of coals to be got there, and the immense quantity of shells for lime, being so highly spoken of by those who went on that survey, I have established a small post there, consisting of a trusty non-commissioned officer and eight privates, with twelve prisoners to collect coals for such Government vessels as can go for them. Since the Lady Nelson went there, two Government vessels have brought 45 tons of coals which has been bartered with the master of the Cornwallis for articles for the public use. This being the first natural produce of the colony that has tended to any advantage, I have enclosed the Commissary's statement of that exchange, being more a matter of curiosity than of consequence. At present several boats are employed getting coals for the Cornwallis, and a prize brig, belonging to an individual, is now at the Coal Harbour lading with coals and timber for the Cape of Good Hope. By the inclosure† your Grace will observe that I have made the coals and timber an article of revenue. How far it will be productive must depend on events.

I have, &c.,

PHILIP GIDLEY KING.

1801

21 Aug.

Paterson and Grant sent to explore it.

Coal and lime.

The first export.

[Enclosure No. 1.]

REMARKS, &c., on board His Majesty's armed surveying vessel, Lady Nelson, on a voyage to explore Basses Straits, 1801.

BY LIEUT. JAMES GRANT.

Sunday, 8 March, 1801.—Latitude, 33° 27'. Bearings and distance at noon, North Head, Port Jackson, N.W. by N., distance 4 or 5 leagues. P.M., moderate and pleasant weather. At 5 a.m. sailed, Bee in company, and stood to the southward. Made the Bee's signal to come within hail.

Monday, 9 March, 1801.—Latitude, 34° 55'. Bearings and distance at noon, George's Head‡ S.W. by S., distance 6 leagues. P.M., moderate and fine weather, Bee in company; at 7 p.m. Red Point S.W. by S., distance 16 or 18 miles; at 10 wind veered to N.N.W. and blew fresh. Intending to look into Port Jarvis in the morning, I shortened sail, and at 2 a.m. hove too. At ½ p't 4 wind shifted suddenly to the southward; filled, close-reef'd the topsails, and sent down topg't yards and masts, wind freshening. At 6 a.m. perceived the Bee had hove too; made her signal to make sail, bore

The departure.

An inefficient tender.

* See Grant's and Paterson's accounts of this excursion, ante, pp. 404 and 448.

† See the Government and General Order of 3rd July, 1801, ante, pp. 430, 431.

‡ Probably Cape St. George.

- 1801
21 Aug. down to her, and found her laying too under her trysail, reef'd mainsail and dragail ahead. In consequence of the reports made me by the master, I ordered him to return to Port Jackson, the vessel not being able to keep in company or make any good weather.
- Tuesday, 10 March, 1801.—P.M., moderate and hazy weather with a heavy swell. At 4 p.m. St. George's Head bear'g W.S.W., distance 10 leagues. At 6 do. W.S.W., distance 9 or 10 miles. At 8 gloomy weather with a heavy swell, the wind at S.S.E.; tacked occasionally. In the morning clear weather, the wind at S.W. At 5 a.m. St. George's Head west 8 or 9 miles; being desirous of examining what shelter Jarvis's Bay afforded, I worked into it, hoisted the boats out, and sent the chief officer to look out for a proper place to anchor; at 9 a.m. the boat returned, and one of the natives in her. The officer informed me there was good anchorage in the southernmost cove between the islands which lays in the mouth of the harbour and the main. Worked to windward and came too at $\frac{1}{2}$ p't 10 a.m. with the best bower in 4 f'ms water, fine sand, and moored with the kedge.
- Jervis Bay. Great numbers of the natives now came round to us in their canoes; some we allowed to come on board. They seem a harmless, inoffensive people, but much more robust than those about Sydney. They all wish to get their beards cut off. They did not thoroughly understand Yeranabie, the native I have on board. Mr. Barrallier and I went on shore with the boat, armed, in order to catch some fish and see how they would receive us, taking Yeranabie with us, who, when he got on shore, shewed evident marks of fear, although one of them, an elderly man, made him a present of a waddee. On my enquiring into the cause of his alarm, he told me they would kill him and eat him; I therefore sent him on board in the boat directly. We hauled the seine, which the natives voluntarily assisted us in doing very cheerfully, and seemed surprised to see the fish we caught, which were but few though excellent of their kind, being large whiting. As the inhabitants seemed to have a great desire for some of the fish we distributed the whole among them, excepting three I reserved for ourselves; they seemed much pleased, and danced and shouted by turns round us.
- Alleged cannibals. There was now a great number about us, but what appeared to me strange there was none of them had any arms with them of any kind. They seemed to know the use of the musquet, and appeared frightened at it when pointed. They asked for blankets and bread, and made signs for something to put round their heads, which last article I gave them, and which I made out of an old white shirt torn up in strips like bands, tying the same round their foreheads, with which they seemed much pleased. They expressed much surprise at the looking-glass, searching everywhere to find if there was not someone at the back of it, dancing before it and putting themselves in all the attitudes they could. They are entirely naked, and seemed to pay homage to the oldest, there being amongst them a very elderly, stout man, his hair perfectly grey, whose advice they seemed to follow. Ends in moderate and clear weather.
- Natives unarmed.
- The chief.
- Wednesday, 11 March, 1801.—P.M., the wind still continued at S.S.W. and S. I sent the people to haul the seine in the evening further up the bay, but they had little success, owing, I presume, to the sharks which abound here. I went on shore with Mr. Barrallier, Mr. Cayley, and two of the soldiers, all armed. We penetrated a little way into the woods, found them very thick and the grass high, the trees also lofty, with plenty of what is called the she-oak. We found parrots of different kinds, and black cockatoos. As the evening approached we joined the boats who had gone a fishing; they had their net broken in several places by sharks, two of which they had got on shore; one measured 7 feet; we brought on board his liver for oil. It was now calm, which lasted until morning. Being anxious to see a little into the country, I set the people to cut a boatload of wood and fill up our water, all which they could do in sight of the ship, while
- Description of the country.

r. Barrallier, Cayley, and the two soldiers set out to see what we could find worthy of remark; we walked 7 or 8 miles into the interior; found the soil of a very sandy nature; towards the sea it was sterile, without trees, and the ground in the hollows; the earth in these swamps was black, and exactly resembled the earth burned in Scotland called peat. The heights were barren and rocky. On one of those I found a flower, which Mr. Cayley formed me he had never met with before, and believed it to be a new plant; it was small, but several specimens of it were taken. Mr. Barrallier also picked up a plant which had not been before met with. We directed our course again towards the wood, and walked through much thick cover, but saw no kangaroos. We met with two small lagoons and plenty of small streams running through the thickest part of the woods; saw some black cockatoos, also plenty of parrots, and other small birds common about Sydney. As we approached towards the ship we found a place which had evident marks of being frequented by the natives for the purpose of festivity. It was on a rising ground clear from brush, and no kennel (or habitation of theirs) near it; there were numerous bones of kangaroos, seals, fish, &c., scattered on the ground, and amongst others Mr. Barrallier picked up part of a human skull; it consisted of a part of the *os frontis*, with the cavities of the eyes and part of the bones of the nose still attached to it; a little part from the spot where he picked the above up he also found a piece of the upper jaw, with one of the molars or back teeth attached to it; also one of the vertebrae of the back with evident marks of fire on it; all these were free from any such marks. On this spot we counted where there had been fifteen different fires, the grass much beaten down and trodden; several seemed fresher than others; from this circumstance I presume they visit this spot occasionally. I brought the human bones on board with me, and finding two of the natives on board I called Yeranabie, and showing him the skull part desired him to ask if that was the part of a white man, and if they had eat him. Yeranabie interpreted that it was a white man that had come in a small boat or canoe, and that they had eat him, adding afterwards that he had come from some ship which he said had broke down--been lost to the southward. The natives did not seem alarmed or intimidated at our questions, but pointed to the southward and the harbour's mouth, answering very freely and without reserve. One of the people also who understands pretty well the language of the natives about Sydney agreed in the account Yeranabie had given, and more than once questioned them about it, especially in regard to the colour of the person. This, however, may be thrown a great light on when the bones were submitted to the faculty.* It now blew strong from N.E. with considerable swell even here. We got on board a boatload of excellent wood, which the natives assisted in carrying into the boat, from whence it was sent very cheerfully and of their own accord. It still blowing very fresh from N.E., let go the small bower under foot. Ends in ditto weather.

Thursday, 12 March, 1801.—At 5 a.m. warped the ship further out into clear birth for getting under weigh. As there was little prospect of setting out I went on shore with Mr. Barrallier and the usual escort to survey the cove we were in, which we completed. Saw a large native dog, of which I believe there are many, as several had been seen at different times. When about to return on board several natives came to us and showed great inclination to go off with us, also asking for bread and signifying that they were hungry. I ordered the surveying instruments and guns into the boat while I was busy observing some peculiarities about the natives. I went on board; it again blew strong from N.E. and E.N.E., which made it out of our power to start until the wind abated.

* Lieut. Grant states in his published work that these bones were forwarded to England to "W. L. Thomas, Esq're, a surgeon and anatomist of the first respectability," who, however, was unable to throw any light on the question.

1801

21 Aug.

The soil.

Botany.

A native rendezvous.

Human remains found.

Relics of a cannibal feast.

1801 Friday, 13 March, 1801.—P.M., having dined I wished much to survey the western side of the is'd which lays in the mouth of this harbour, and shelters the cove from easterly winds, which for the sake of distinction I called Ann's Island.* I found missing the surveying chain, and on strict investigation found it had been left on shore through the neglect of the two soldiers whose hand it was always in during the first part of the day, they being employed in carrying it to measure the distances. I sent a boat with one of them in her to look for it, but without success. On their return they were met by one of the natives in his canoe, holding up the chain in his hand, which he gave them directly and came on board with the boat. Finding the chain complete, except the brass markers, which they had pulled off and kept, but which could be easily replaced, I rewarded the native with one of my blankets, which I believe was the greatest reward I could have bestowed on him, as he seemed infinitely well pleased. Mr. Murray, the first mate, gave him an old hat and shewed him the looking-glass, before which he danced in his new accoutrements with great glee, searching for somebody behind it and making many odd gestures. We went on shore and took the native with us in the boat, towing his canoe after us. A number had assembled on the island to receive us, and seemed much pleased to find the other had got a blanket, which they seemed perfectly well to know the use of. The elderly man before mentioned came up to me and made signs that he wanted his beard cut off, which I did with a pair of scissors. For the first time we saw their women, at a distance, with their children, which the old man made come nearer and sit down. I observed one of them had fastened to the neck of her child one of the brass markers they had taken from the chain, of which, however, I judged it prudent to take no notice. They seemed to be very timorous of our approach, but on the old man's speaking to them they all composedly sat down again. When I went up to them they examined my buttons and the head of my dirk, and seemed much surprized at my watch-chain, which I began to think they had a sort of inclination for, but this I was soon relieved from on pulling out the watch. They did not seem to like it, and talked very gravely amongst themselves; they were all anxious to listen to the noise of the watch, yet would they pull their ear from it and look at the watch with symptoms of fear about them, and return to it again. I attempted to point out the use of it, and pointed at the sun, but from this circumstance I am led to think they believed it to be something that we worshipped. The old man particularly pointed to the sun and appeared anxious to know more of it. What leads me to imagine these were their ideas, everything else they saw of ours, after examining it a little, they broke out into a shout or exclamation expressive of wonder, and returned to examine it more minutely, but in the business of the watch they behaved very differently; they made no exclamations and talked much in a lower tone of voice than usual amongst themselves, at the same time expressing a sort of fear which they did not show towards anything else. The women, like the men, are more robust than those about Sydney. One of the women was particularly stout. All we saw had children, and many, both men and women, had evident marks of the smallpox, and knew when I pointed to one of my people whose face was much marked what I meant, expressing it was the same disorder had marked them. The women are very ordinary in features; the men in general are otherwise, and very strait made. Having finished the survey of Ann's Island on the western side, and found there was plenty of fresh water on it, we returned on board and got all clear for getting under weigh at daylight. A.M., at 5, weighed, light airs and v'ble; at 9 got the boat ahead to tow, and at 10 got clear off;

1801

21 Aug.

Bowen's
Island.Honest
natives

rewarded.

Curiosity of
the natives.

Smallpox.

Departure
from
Jervis Bay.

* So named in honor of Mrs. King, the Governor's wife. Grant, in his published account of this voyage, states that he called this island Ann's Island because it had not received any name from its former visitors. In this he was wrong. As early as December, 1796, Bass, when on his whaleboat voyage, alluded to it as Bowen's Island, a name it still bears, in honor of the discoverer of Jervis Bay (Lieutenant Bowen).

a moderate breeze from N.E.; set steering sails. It may be worthy of remark that Jarvis's Bay or Sound is much larger and more commodious than strangers are aware of, and that shelter may be had in it from all winds. The Sound itself is capable of containing two hundred sail of shipping upwards, with plenty of wood and water at hand. During our excursion here we saw no snakes, and observed that many of the men, instead of having one tooth pulled out, as about Sydney, had two, and those in front. They are tattooed and paint their noses and faces, as at Sydney.

1801

21 Aug.

Tuesday, 14 March, 1801.—Latitude, $30^{\circ} 54'$ S. P.M., moderate and pleasant weather; all sail set. At 2 p.m. saw the Pidgeon House, bearing N.W't, distant 7 or 8 leagues. A.M., moderate weather with heavy dusk. A bright thick foggy weather. At 9 a.m. Mount Dromedary N.N.W't, distant 8 or 9 leagues.

Mount
Dromedary.

Wednesday, 15 March, 1801.—Latitude, $37^{\circ} 13'$ So. At noon moderate and pleasant weather. Bearings and distance, Green Point W. $\frac{1}{2}$ S., 3 or 4 miles; Cape Howe S.S.W., 4 or 5 leagues, the wind inclining to the south'd. I wished much to look into Twofold Bay, but being to the southward I judged it most prudent to persevere in order to get round Cape Howe, though the weather appeared unfavourable. The moon also having set yesterday, I had reason to expect blowing weather.

Twofold
Bay.

Thursday, 16 March, 1801.—Latitude, $37^{\circ} 21'$ So. Bearings and distance at Cape Howe S.S.W., distance 2 or 3 leagues. P.M., fresh gales and light.

Friday, 17 March, 1801.—Course, S. 36° W.; distance, 19 miles; latitude, $37^{\circ} 42'$ So.; longitude, $149^{\circ} 34'$ or $149^{\circ} 41'$. Bearings and distance at Cape Howe, southernmost extreme of land W. $\frac{1}{2}$ So., 5 or 6 leagues. At 4 p.m. Cape Howe, bearing S.W. by W., distant 3 or 4 miles. At daylight Cape Howe, bearing W't, distant 5 or 6 leagues. At 8 cloudy weather. At noon the southernmost extreme of land W. $\frac{1}{2}$ S., 5 or 6 leagues. Fresh gales and rain.

Saturday, 18 March, 1801.—Course, S. 53° W't; distance, 31 miles; latitude, $37^{\circ} 51'$, longitude, $149^{\circ} 2'$ or $149^{\circ} 9'$. Bearings and distance at noon, Point Hicks, N.E., distant 10 or 12 m's. P.M., moderate and fair weather.

Point Hicks.

Sunday, 19 March, 1801.—Course, S. 87° W't; latitude, $37^{\circ} 50'$; longitude, $147^{\circ} 54'$ or $148^{\circ} 02'$. P.M., moderate weather. At 4 p.m., Point Hicks, N.E., 8 or 10 miles. At 5 p.m. saw a strange sail in the S.W. quarter; ordered in order to speak her. At 6 hove too; sent an officer on board with a letter* for Governor King, as I judged she was bound into Sydney. She proved to be the Britannia from London, bound on the whale-fishing, and going into Port Jackson; out four months. Filled and made sail. At 2 wind shifted suddenly to the south'd; saw the land, bearing N. by W., 4 leagues.

Speak a
whaler.

Monday, 20 March, 1801.—Course, S. 56° W't; distance, 115 miles; latitude, 42° ; longitude, $145^{\circ} 52'$ or $146^{\circ} 00'$. Bearings and distance at noon, Rock der, S.E. by E., 16 or 17 m's. In working from yesterday at noon until 11 a.m. of this day, when Wilson's Promontory bore N. by E. 5 or 6 miles. Latitude by account makes it lay in $38^{\circ} 59'$, and longitude $146^{\circ} 6'$ or $146^{\circ} 14'$. As the latitude has been worked from the run both before and after noon, it is probable the latitude as laid down in the remarks will be correct. P.M., fresh gales; shortened sail, not wishing to run through the straits off Wilson's Promontory in the dark. Steering S.S.W. during the night, which, with the distance I was from the shore, I judged would carry me to the south'd of the promontory, as laid down in Mr. Flinders' chart. At 11 a.m. saw four islands, which we took to be the Seal Islands, bearing from N.W. by S., distant 6 or 7 miles; and the land about Wilson's Promontory bearing S.W., 6 or 7 leagues. At 8 a.m. Wilson's Promontory bore W.S.W.,

Wilson's
Promon-
tory.

* See this letter, ante, p. 337.

- 1801 dist'e 10 or 12 miles. At noon Rodondo* S.E. by E., dist'e 16 or 17 miles. We had passed between this rock, with some detached rocks laying about a quarter of a mile from it and Wilson's Promontory, and had a good observation which gave us the lat'e of $39^{\circ} 2' \text{ So.}$, which lat'e, after working the courses back run from Wilson's Promontory, makes it lay in $39^{\circ} 1'$, differing from Mr. Bass's lat'e of the first only 5 miles further to the southward. The long'e will be found to be $146^{\circ} 6'$, accord'g to the long'e laid down on Mr. Flinders' chart of Cook's situation of the Ram Head, or $146^{\circ} 14'$, according to the long'e found in Moore's Epitomy laid down from astronomical observations off Cape Howe. The above cape, therefore, being a known point in latitude laid down $37^{\circ} 24'$, having from my observ'n at noon on the 16th, which was $37^{\circ} 21'$, ascertained with as much accuracy as possible the bearings of the said cape, I judge it the most preferable to make all my calculations from this point.† Now, as the weather proved favorable, so far as to ensure a good run from thence to Wilson's Promontory, with but few casualties to effect the reckoning by account the shortness of the distance, &c., it is almost impossible any considerable error could happen; but that this should be more perfectly ascertained, I have committed to paper, in order to deliver in the courses per log run, the courses corrected for the variation allowed, with the lat'te and long'e made on such courses daily.
- 21 Aug. Latitude and longitude.
- Enter Western Port. Saturday, 21 March, 1801.—Course, N. 50° W.; distance, 37 miles: latitude, $38^{\circ} 37'$; longitude, $145^{\circ} 16'$ or $145^{\circ} 24'$. This is the result of the courses worked from yesterday at noon until we entered Western Port at 8 a.m. this day. P.M., fresh gales and squally at times. At 2 p.m. Cape Liptap bore S.E. by E., distance 3 or 4 miles. At 4, ditto, bear'g S.E. $\frac{1}{2}$ E., dist'e 14 or 15 miles. At 5 p.m. saw the island which forms the entrance into Western Port, appearing, as Mr. Bass describes, like a snapper's head, bearing west north westerly 13 or 14 miles; made all possible sail. At 8, the island bearing north, dist'e 2 or 3 miles, and which distinguished by the name of Snapper‡ Island, standing off and on during the night. At 4 constant heavy rain; hoist the boats out and made sail along the western side of the island, steering from N.N.E. to N.N.W. At 8 a.m. saw as island appear'g in the western passage, with apparently a passage between it and Snapper Island. Sent an officer in the small boat ahead to sound, and kept the lead going on board. We entered Western Port by this passage, and had from 12 to 9, 6, 5, and $3\frac{1}{2}$ fms all the way: the passage is nearly three-quarters mile wide, with rocky bottom. On the above detached island are a great many seals, and some of them very large. I, from this circumstance, named it Seal Island. Constant heavy rain working up into Western Port. Found the soundings very irregular. At noon thick rainy weather. Saw several very heavy breakers on the western side of the harbour. The souther't headland at noon bearing W.S.W. 5 or 6 miles; the northern't point of land N.E. by E. 3 or 4 miles.
- Seal Island.
- Anchor in Western Port. Sunday, 22 March, 1801.—P.M., constant hard rain; at half-past 5 p.m. came too with the best bower in $6\frac{1}{2}$ fms water, sandy bottom mixed with mud, the most remarkable headlands bearing as follows:—Southern't headland, S. by E. 2 miles; a point of an island bear'g N.N.W. $\frac{1}{2}$ 2 miles; northern't head of the main N.N.E., dist'e 6 or 7 miles; the point directly abreast of same and nearest to us which I named Lady Nelson's Point, west three-quarters of a mile (as also the island above mentioned, ——— Island, which at lower

* A rock lying nearly off the end of Wilson's Promontory, named by Grant on his voyage out from England.

† The true latitudes are:—Cape Howe, $37^{\circ} 30' 15''$; Wilson's Promontory, $37^{\circ} 7' 50''$; Rodondo Island, $39^{\circ} 14' 0''$.

‡ This island, even in Grant's time, was called Phillip Island, a name it still retains. In the eastern extremity, however, was known as "Snapper Head." In his published account Grant says that he named it "Snapper Island" from its likeness to a snapper's head, but makes no allusion to Bass having noted it nearly four years before. See Bass's "Voyage in the Whaleboat," vol. iii, p. 321.

water there is a peninsula of sand you may cross over to ———* Island);
an island laid down by Mr. Bass in the eastermost arm of the bay, bearing
N.E. 5 or 6 miles. Mr. Barrallier and Mr. Bowen went on shore, and shot
a couple of red-billed birds. Moored with the kedge. We found the tide
where we are now laying to flow 9 or 10 feet perpendicular.

1801

21 Aug.

Monday, 23. March, 1801.—Winds S.W. to W.S.W. P.M., strong Western
breezes and squally, with flying showers. Seeing several flats dry at low Port.

water very near us, running up towards the place Mr. Bass describes the
Fresh Water Creek to be in, and there appearing to be narrow channels
through them, I went in the small boat to find a passage and the Fresh Water
Creek. I found barely water for the small boat through these apparent
channels, and in some places she touched for a considerable distance. I got
on a point which formed a deep bight, with the land about Lady Nelson's
Point to the westward, and on following the shore found that this point was
part of a large island which I sailed round, but from its vicinity to island
had not been seen by Mr. Bass. It is low on the S.E. side and swampy, but
rises towards the N.W., and is well covered with wood, though not large.

The soil is a light vegetable black mould covered with moss; I burned a
plott of the trees on it and cleared the ground, which required no great
labor, the soil being deep and free of stones, the trees also having no very
deep root. I sowed in it wheat, seeds of different sorts, planted onions and
potatoes, with cucumber, pumpkin, and mello seeds; also threw in several
sorts of apple seed, and some stones of plumbs and peaches, together with a
few grains of rice and coffee; also from the trunks of the trees we had felled
I set up posts for a house 12 feet by 24 (this may some future time be of
service), and named the island ———* Island. Several of the minerals
on this island partake much of iron particles, some of them so much as to
visibly attract the magnet when held close. Observed that all the south-
west part of this harbour was a perfect flat, mostly dry at low water; several
very large sharks about, which the people caught several of. A.M., moderate
weather; Messrs. Barrallier and Murray went on shore to survey. As the
place appeared in magnitude, &c., very different from the chart we had of
Mr. Bass, I was of opinion that while the weather continued so uneven it
would be of material consequence to ascertain a thorough knowledge of this
place as well as satisfactory to the Governor of the colony.

Description
of the
country.

Seeds sown.

Tuesday, 24 March, 1801.—Winds S.W. to W.S.W. P.M., variable dis-
agreeable weather. The gentlemen returned on board; they had seen many
birds and black swans, with pelicans, which are here in plenty. The morning
proving fair the above gentlemen and their party went again in shore; also
sent the small boat to look for the Fresh Water Creek; ends in dark cloudy
weather.

Swans and
pelicans.

Wednesday, 25 March, 1801.—Winds W.S.W., S.W., W. P.M., cloudy The
weather at 4, rain with squalls at times; the gentlemen were again obliged weather.
to return. A.M., ditto; weather but latterly fair; the small boat returned
without finding the creek she had been sent to search for; the officer
brought me two live black swans which he had caught after slightly
wounding them.

Thursday, 26 March, 1801.—Wind W.S.W. P.M., the weather having
cleared up, Messrs. Barrallier and Murray went on shore to ———* Island
in order to the better ascertaining the different points of this harbour that
were in sight; at 8 p.m. fired four guns by the request of Mr. Barrallier, in
order to measure a base line. A.M., moderate and fair weat'r.

Friday, 27 March, 1801.—Winds W.S.W. to calm. P.M., moderate and
fair weather; at 6 p.m. the surveying party came on board, having been able
to do a good deal of business. A.M., sent the second officer a second time to
search for Fresh Water Creek. Messrs. Barrallier and Murray went in the

Fresh Water
Creek.

* Blanks in the MS. Grant named the island Churchill Island, after a gentleman of that
name who had supplied him with seeds of plants and fruit trees.

- 1801
21 Aug. launch, manned and armed, to examine the above creek, the second officer having returned with word he had found the entrance; long'e by the time-keeper this day gave 146° 10' 30'.
- Good country. Saturday, 28 March, 1801.—Winds v'ble S.W., S.W. P.M., calm clear weather with flying showers. The party who had gone up the river returned with a barrel of water, which was brackish; they informed me they had proceeded up as far as the boat could go and filled the above water at half-flood, adding that at low water it might be better; they reported the river to consist of forty-two short reaches, more perfectly known when surveyed completely. They found no place that a vessel could anchor in, even of this size, nearer than where she lays at present, which is at least 6 or 7 miles from the entrance. They had seen no natives, though they had met with their traces. They reported the country to be very pleasant and of a good soil, which appears here to be the case throughout, the soil being mostly of a black vegetable mould and light. This is what has fallen under my own observation in the vicinity where we lay; the grass is thick and luxuriant, and where burned by the natives rises green and short, which gives those spots a pleasing and uniform appearance. In many places are large spaces clear of wood covered with thick grass knee-deep, where the wood grows which is not of that size as about Sydney; the ground is loose and covered with moss.
- A capeize. Sunday, 29 March, 1801.—Winds S.W. v'ble. P.M., variable winds and weather with rain. A.M., cloudy but fair. Messrs. Barrallier and Murray went in the launch down the harbour to ascertain the position of some points towards the entrance.
- In quest of water. Monday, 30 March, 1801.—Winds S.W. to N.E. P.M., squally with heavy rain, in the evening the party returned, and from the badness of the weather could do nothing, having nearly lost both the boat and themselves, being upset in attempting to land on a beach. Hard rain and squalls, with strong wind from S.W. during the night; at daylight moderate and fair weather. Having observed a creek apparently of considerable extent inland, I went to examine it. It joined Lady Nelson's Point; I traced it to the head, but found it perfectly salt; saw plenty of ducks and black swans with different marine birds, but no natives.
- The country about Fresh Water Creek. Tuesday, 31 March, 1801.—Wind N.W. P.M., moderate and fair weather. As water was now become needful I went with the launch, taking as many casks as she would stow, together with Mr. Barrallier and the second officer, up the river. I found it as before described, it being very shallow at the entrance, so much so that we were obliged to walk the boat over the flat, which was of soft mud, at nearly half-flood.
- Birds and animals. Wednesday, 1 April, 1801.—Winds N.W. to S.E. P.M., first part of these twenty-four hours variable weather with heavy squalls and hard rain; latter part moderate winds, but thick mizzling weather. Observing a branch break off from the river, I followed it to its source, which ran about 2 miles inland; found the water salt. Mr. Barrallier, Bowen, and myself and two soldiers travelled a considerable way inland in order to gain the top of this arm, it being too narrow for the boat to pass owing to the falling of the trees from the banks across the river. We travelled through much thick brush mixed with gum trees and she-oak, none of great size, and several extensive spots or savannas of grass, clear from wood, as before described; we saw many natives' paths and marks of fires, but saw none of them. There are plenty of parrots of different kinds, and kangaroos, having observed their tracts and dung, which from these appearances must be very large. One of the soldiers killed a black snake about 2 feet in length, the only one we met with. Having found the top of the creek, we got on board our boat and proceeded up the river, which towards low water began to recede from salt to brackish. The weather being wet and apparently a bad night coming on, we disembarked for the night and built a small hut.
- Camp for the night.

ere we stay'd till 5 in the morning; when the flood began to make we barked and proceeded up as far as the boat formerly had been. I waited the last of the ebb, and during the interval went with Mr. Barrallier out 2 miles up the river through a thick brush with large trees mostly the gum kind; we saw several grey parrots with red heads and a crest feathers on the top, one of which Mr. Barrallier shot. The river still narrower as we proceeded, but the steepness of the banks and thick-
s of the bush stoped us. The weather was still rainy and unfavourable. our return we saw several of the savannas before described with thick ss and many traces of the kangaroo through it, with other marks; places ere the natives had held their fires were plenty, but we met with none them; native dog tracks were in abundance. By 10 a.m. it was low ter, and we found the water in the river perfectly fresh and good; filled Fresh water
casks and proceeded downwards. Gloomy weather; shot a brace of found.
ks; at noon dark cloudy weather, with rain at times.

1881

21 Aug.

Thursday, 2 April, 1801.—Winds S.E. to E. P.M., the afternoon ved fair and moderate; about 6 o'clock we got on board. Ditto weather. d., moderate and fair; Messrs. Murray and Barrallier went in the gig to vey the N.W. arm and its vicinity; sent the launch for water.

Friday, 3 April, 1801.—Winds S.E. to calm. P.M., moderate and fair ster; in the evening the gent'n in the small boat returned, and set out in in the morning. The launch returned with water; the officer having t or rather wounded one of those grey parrots above describ'd, which ag still living I inteded, if possible, to keep alive.

Thursday, 9 April, 1801.—Winds E. to N.W. and W. P.M., cloudy Repair the
ling weather with squalls. The launch being much in want of repair, launch.
her hauled up on the beach for that purpose, and sent the carpenter on re to work on her; examined the sail-room and found the sails in good er.

Friday, 10 April, 1801.—Wind N.W. P.M., moderate winds, which rds the evening freshened; gales, with hard and constant rain. A.M., he morning the wind had got to N.W., blowing strong but fair. Having our launch off, sent her for water; examined the keels,* scraped and sed them.

Saturday, 11 April, 1801.—Wind ditto. P.M., strong gales from N.W., ich in the evening came on with heavy squalls and rain.

Sunday, 12 April, 1801.—Wind v'ble to E.S.E. P.M., moderate and le weather. The launch returned. The officer informed me he had nd a canoe sunk in the arm of the river formerly mentioned, which I had A native
sed to the source. He said it was about 16 feet in length, and that canoe.
ead of being tied at the ends as about Sydney, it was filled up at each with clay mixed with grass, and had in it three timbers. He brought the paddles and a piece of the bark of the canoe, together with the sed grass which they make use of for cord. The bark will be found stiff for tying at each end. At 10 a.m. got under weigh and run over the mouth of the western arm, in order the better to survey it. Came in 6 fms water abreast of an island which Messrs. Murray and Barrallier formerly sailed round, and we had distinguished by the name of —† and.

Sunday, 13 April, 1801.—Wind E.S.E. to N.E. P.M., moderate and weather. In the morning Mr. Barrallier and I went in the small boat the arm; found the tides run very rapid and occasion whirlpools in the The tides.
dings of the coast; landed on the different points to survey; met with a k which we also followed to the source; found the soil here to be a rich

By "keels" Lieutenant Grant means the sliding keels or centre-boards with which the Nelson was fitted.

Bank in the MS. Grant named this island Margaret Island in honour of the wife of his d and patron, Captain Schanck.

- 1801 black earth, and the grass growing in the same manner as has been before described on the banks of the Fresh Water Creek. We also found in the hollows plenty of fresh water, which the bullfrogs gave us intimation of. We passed the night on the banks of the creek, and at 4 in the morning, the tide serving, got out of the creek and proceeded up the arm; found the tide to flow full, and change 51 minutes past 12.
- 21 Aug. Tuesday, 14 April, 1801.—Wind N.E. Fresh breezes and fair. Proceeded onwards towards the upper end of the arm; found it very irregular in depth and mostly dry at low water; the bottom in general throughout is soft mud. Landed as we went along on the different points.
- Native huts. Wednesday, 15 April, 1801.—Winds E.S.E. P.M., having arrived at the upper end of the arm, that is to say where it breaks off in a circular form to the westward, we passed the night by the side of a lagoon of brackish water. We found in the neighbourhood of it several huts and the remains of articles the natives had been using. Having on our passage up killed two black swans, we dressed one and found them excellent eating. At 10 at night the wind suddenly shifted to south, with rain. The ebb making about 2 in the mor'g, and it appearing to be setting in with dirty, disagreeable weather, we started at 3 for the ship. On our way down I heard a noise like the rattling of the tide over some shallow part, but having observed no places that could possibly pick us up at the present time of tide, I pushed on, when presently we were in a considerable swell, which increased until it became inconvenient for the size of our boat, and that almost instantaneously, the tide running very strong, I had just time to get her head round to save broken water close on board, and even then, despite of all the exertions the people could make with the oars, the boat was turned half round and shipped a very considerable quantity of water. We were presently free from it, and found it could be nothing else than the whirlpools which we have before mentioned seen on our passage up, as it was then a flowing tide. They did not appear to me to be of any consequence, but from this circumstance and the noise we still heard, which came from the opposite side of the arm, I have no doubt but it is unsafe for any small boat to run in the dark. At daylight we reached the ship.
- A whirlpool. Thursday, 16 April, 1801.—Wind south to calm. P.M., dirty weather, with squalls. Mr. Barrallier went in the boat to ascertain the situation of some of the adjacent points.
- Surveying. Friday, 17 April, 1801.—Wind south to N.E. P.M., moderate and cloudy weather. At 4 weighed, and dropped down with the tide to survey the entrance of the harbour; found the tide run so strong that, with the light winds we had, I could not gain the opposite shore, therefore was obliged to come to at 7 p.m.; 14 fms. water; found the soundings very irregular. At daylight was surprised to find myself within less than half a mile of a extensive shoal of sand, breaking very heavy, which 15 minutes more drift with the tide would have had us on. Untill now I never imagined this shoal extended so far from the western shore, as we were not further than about midchannel over; saw it extend towards the harbour's mouth further than the eye could reach from our present situation. I waited until the flood made, and in the interim, judging there might be fish close to the shoal, I put a hook over and caught a very fine snapper, which presently became general throughout, and in half an hour we had as much fish as served the ship's company for one day. At 10, the flood having made, weighed, and run up into a snug cove with a sandy beach, which, being the second station we took on this side of the harbour, I named Elizabeth Cove, in honor of Governor King's daughter. This is the snugest birth in this harbour. You may anchor in what depth you please, and have but a little tide; the bottom sandy, and sheltered from all winds excepting those from the opposite shore, which sends in a great swell, as we afterwards experienced.
- A haul of snapper.

Saturday, 18 April, 1801.—Wind v'ble and calm. P.M., bleak, rainy weather, with variable wind. Went on shore, and walked to a point where I could see the entrance, and observed the shoal we had left break further than I could discern towards the harbour's mouth, which left me in suspense whether the entrance to the westward of Seal Island was not a barred one, knowing it to be a flat of sand. In the morning, the weather being moderate and fair, Mr. Barrallier and the second officer, in the launch, went up the arm nearest the harbour's mouth, to survey it, while I went in the small boat to examine a creek I had seen the evening before, which run inland.

1801

21 Aug.

Squally weather.

Sunday, 19 April, 1801.—Wind v'ble and calm. P.M., light winds and calm at times. Having examined the creek, or rather lagoon, in which was plenty ducks, I found it of no great extent, and salt. I walked from thence along the shore, and got on the top of a rising ground, where I could see there was a clear passage out to the westw'd of Seal Island. A.M., do. weather. Launch not returned. Sent the small boat a-fishing off the shoal.

Seal Island.

Monday, 20 April, 1801.—Wind E.N.E. to S.E. P.M., moderate weather, which seemed settled. I being now very anxious to get out of this place, was determined to get out the first favorable opportunity. The small boat returned, having caught but few fish; launch not return'd.

Tuesday, 21 April, 1801.—Wind S.E. Moderate and fair weather. Launch not returned.

Wednesday, 22 April, 1801.—Wind south. P.M., v'ble and cloudy weather. In the evening the launch returned, Mr. Barrallier having surveyed the arm, which he found more extensive than we had reason to expect, with some islands not laid down by Mr. Bass. They saw no natives. Cleared ship for sea.

Preparing for sea.

Thursday, 23 April, 1801.—Wind south to S.W. P.M., heavy gales and cloudy, with rain, and blowing at times in very heavy squalls.

Friday, 24 April, 1801.—Wind S.W. P.M., heavy gales of wind and squalls, with rain throughout all these twenty-four hours.

Saturday, 25 April, 1801.—Wind west. P.M., heavy gales and violent gusts of wind. Sighted the best bower. At 8 p.m. let go the small bower underfoot and braced the yards to the wind. A.M., hove up the best bower. Ends in strong gales, and squally with rain.

Gales of wind and heavy rain.

Sunday, 26 April, 1801.—Wind, N.W. to south. P.M., strong winds and heavy rain; brought home the kedge which we had steadied the ship by: weighed it, and laid it out afresh. A.M., do., weather.

Monday, 27 April, 1801.—Winds, south, S.W., calm and variable. P.M., strong breezes and squally weather, with heavy rain. The weather being now so unsettled and blowing for such a length of time, I felt very uneasy and perplexed about the duty we still had before us, knowing full well that the service we was upon could not be prosecuted to any degree of satisfaction without constantly keeping the shore aboard. The heaviness and length of the gales rendered this impracticable, and, what was still worse, the quickness with which they come on will not suffer you to get a sufficient offing. The almost constant wet weather which we had already experienced, and which we might still expect at this late season to increase and continue, rendered it not only precarious but attended with the worst of consequences. It was my full determination to stop no longer in port, as we had obtained every information that could be wished for here. Yet was I very happy to find that we had escaped this last gale, which it is more than probable would have rendered abortive, not only our future services, but those we had already performed. I judged it proper to consult with those gentlemen whom I had about me concerning the nature of the service we had to perform, and the weather we most probably would have to

Prospect of heavy weather.

- 1901
21 Aug.
The return.
- contend with, the result of which was that from the unevenness and almost constant bad weather we had hitherto experienced in this port, and since we sailed from Sydney, together with the lateness of the season, it was improper to further prosecute our proposed voyage, but to obtain, if possible, the coast between us and Wilson's Promontory, with the situation of the is'ds off of it. This being determined on, got the kedje up and hove short. The weather still thick and unsteady.
- Tuesday, 28 April, 1801.—Winds, calm, south. P.M., rainy, disagreeable weather; employed as necessary. A.M., do. weather, mostly calm. Held everything in readiness for getting to sea the first opportunity.
- Wednesday, 29 April, 1801.—Wind, N.E. P.M., first part calm, with light airs at times. A.M., at 10 a light breeze springing up at N.N.E., got under way, but owing to the wind dying away and the flood making, came too with the best bower in 7 fms water. At 7 in the morning got under way with a fine breeze at N.E.; hove too occasionally to ascertain the points. At 10 got clear out, hoist the boats in, and stood along the coast, heaving too occasionally. Ship's draft of water, 5 feet; aft, 5 feet 7 inches; forward, 5 feet 1 inch. At noon had a good observation; lat'e 38° 38' 35" south.
- Thursday, 30 April, 1801.—Winds, N.N.E. to north. P.M., moderate weather and clear; standing along the coast and heaving too occasionally in order to survey. At 5 p.m. bore N.W., dist'e 9 or 10 miles; at night stood off and on until the morning; at daylight moderate and cloudy weather; at 10 N.W., dist'e 7 leagues; at noon Cape Liptrap, S.E. by E. $\frac{1}{2}$ E. 3 leagues, and the land about Wilson's Promontory, S. by E. $\frac{1}{2}$ E. 16 or 17 miles. Lat'e obs'd, 38° 49' 35" south.
- Departure from Western Port.
- Cape Liptrap.

Remarks, &c., His Majesty's armed surveying vessel Lady Nelson, at sea.

- Friday, 1 May, 1801.—Cape Liptrap bear'g N.W., dist'e 17 or 18 miles. and Rock Dunder, S.E. $\frac{1}{2}$ E. 5 or 6 miles. P.M., moderate and cloudy; at 5 p.m. Cape Liptrap N.N.E. 3 or 4 miles; stood off and on during the night. At 5 a.m. wind shifted to the N.W., with rain and squalls; took in 1st reef topsails and mainsail. At daylight worked into the bight between Cape Liptrap and the promontory. Mr. Barrallier recommended the survey; found the bottom of this bay to a beach of white sand. At 8 moderate and cloudy, with rain; let the reefs out, and stood for Wilson's Promontory.
- Waratah Bay.
- Saturday, 2 May, 1801.—Latitude 38° 29' 13". P.M., moderate and cloudy with small rain. At 4 the south point of Wilson's Promontory, S.S.W. $\frac{1}{2}$ W. 4 miles; Rodondo, S. by W. $\frac{1}{2}$ W. 4 $\frac{1}{2}$ miles; the bottom of a sandy bay, near the south point of the promontory, west 3 $\frac{1}{2}$ miles, and the northernmost head of the above bay N.W. by N. 1 mile dist. At 6 p.m. gloomy, with squalls and rain. At 8 p.m., it blowing fresh and likely to set in for bad weather, bore up to clear the land and the islands. Having now gained a complete survey of the coast from Western Port to Wilson's Promontory, with the situation of the different islands off the same, and ascertained the lat'd'e of the same, which from our different observations and run we have been able to do sufficiently correct, and which will be found to be 39° 1' south, together with the longitudes laid down on Mr. Flinders' chart and that laid down by Mr. Black in the Harbinger. I have no doubt of the long'e of that cape or promontory falling between 146° 25' and 146° 14', which last is the long'e my reckoning gives from Cape Howe.* These points being ascertained so far as lays in our power, I judged it most prudent to make the best of our way into port, ordering the shore to be kept on board to observe every particular hitherto unknown.
- The survey complete.
- Return to Sydney.

* The true longitude of Wilson's Promontory is 146° 25' 37" E.—"Norrie's Navigation," Table 56, p. 397.

GOVERNOR KING TO THE DUKE OF PORTLAND.

1801

Sydney, New South Wales,

d,

21st August, 1801.

21 Aug.

With this I have the honor to enclose a statement of the
 remaining in His Majesty's stores, including that
 by the Earl Cornwallis, with a present estimate thereon,
 general statement, together with the quarterly employment
 actualled from the stores.*

Returns of
stores.

In my preceding letter I had the honor of stating that in
 the articles purchased from the John Jay and Diana,
 ships (duplicate vouchers for which have been trans-
 found it necessary to direct the Commissary to purchase
 from the officers of the Royal Admiral, as stated in
 ed vouchers No. 3, together with the vouchers No. 2, for
 ent of wheat, &c., purchased from private cultivators to
 be necessarily victualled from the stores for the quarter
 r 28th (when I took the command) to the 31st Dec'r,
 e when it has been necessary to direct the purchase of
 ssary articles from the master of the Anne transport,
 he supercargoes of the American ship Missouri. Vouchers
 payments are enclosed, and numbered from 5 to 6, also
 for the payment of wheat, &c., purchased from private
 s as above, for the two quarters between January 1st
 30th, 1801, numbered 4 and 7; and to explain the cause
 ng these expenses, I beg to request your Grace's reference
 losure containing the necessity of purchasing those stores
 blic use of this settlement and of Norfolk Island, a part
 uld have been unnecessary had I known what articles
 ing out by the Earl Cornwallis; but, as no unwrought
 by that ship, and as proportions of the sugar and other
 ay be spared to individuals, at an advance, in exchange
 or animal food, I trust that when the great quantities of
 usefull articles brought for sale and our many wants (as
 my letter by Gov'r Hunter) are considered, that my
 hese purchases will be approved of, as in our then state
 d some degree of denial not to supply the colony with
 ssary tools that those at public labor were destitute of,
 ve since been supplied from those received by the Earl
 s; and being generally in good condition, considerably
 our wants, a list of which, and their several necessities,
 loathing expended since March return and now remains,
 e honor to enclose. In stating these wants, I beg to
 ur Grace I am guided by the strictest economy and
 o make every possible saving in the expences of this
 ich I trust will be considerably less than they have been
 ears past, supposing that saving only to arise from the

Purchases
from
Americans.Other
purchases.Necessity
for making
purchases.Require-
ments of the
settlement.

* The enclosures to this letter are not available.

1801 great reduction of the price of grain and animal food, and enforcing
 21 Aug. the payment of debts due to the Crown since I took the command,
 the annual statement of which will be transmitted when the year's
 accounts, ending 31st Dec'r next, are made out. In this place it
 is necessary to remark that our present scarcity of grain has not
 occasioned any increase in its price; and as every material state-
 ment is made in the enclosed documents of our present resources
 for provisions, &c., and its application, I have to request your
 Grace's noticing the number of people I have found it necessary
 to strike off the public stores as having no claim to be maintained
 at the public expence. The saving occasioned by this measure is
 very great.

Provisions for naval purposes. In the letter (of which this is an enclosure)* I have stated my reasons for directing the Commissary to draw on the Navy and Victualling Boards respectively for payment of stores and provisions purchased from masters of ships or other individuals for the use of His Majesty's armed vessel Porpoise, which I hope will be deemed regular.

Provisions and goods from England. The salt provisions (received very opportunely) and the stores sent by the Earl Cornwallis are in good order, except some articles damaged by wet and leaks, which, altho' inconsiderable, cannot yet be ascertained, as well as many articles received by the Royal Admiral, which are very deficient of the quantities expressed in the bills of lading, particularly the shoes, on which subject I shall write to the Transport Board by the Albion.

Disposal of same. Your Grace's instructions respecting the manner in which the articles sent by the Royal Admiral and Earl Cornwallis are to be disposed of have been carried into execution, as you will observe by the enclosed copies of my orders to the Commissary and the enclosures.

Crushing the monopolists. Altho' several articles will be indispensably necessary for the public use from those stores, yet I hope the enclosure, specifying what has been given out and its great utility in crushing monopolies, will induce your Grace to direct another year's supply to be sent on the same account. Had those necessities arrived before the articles that were purchased by individuals (who furnished the stores with grain) from the masters of ships, they would have given the preference to those brought by the Earl Cornwallis, and prevented the necessity of drawing bills for what they purchased from the ships. However, such has been the effect of this measure that a very small part of the private investment brought by these

* By "enclosure" it is presumed that Governor King merely made reference to the fact that it was forwarded in the same box which contained his general despatch of the same date and other letters forwarded to London. There is nothing on the face of the document to indicate that it was an enclosure in the ordinary acceptance of the term.

officers of the Earl Cornwallis, amounting to £10,000, is now selling at thirty p'r cent. only above prime cost. I enclose a list of such articles as may be wanting in the course of another year or the purpose of barter for grain, &c., and respectfully request that the indulgence of the ten pipes of port wine sent for the officers of the civil and military department may be increased to fifteen. For the appropriation of the proceeds of the ten pipes of wine sent in the Royal Admiral (one of which unfortunately leaked out on the passage), I beg to refer your Grace to my letter sent herewith.

1801

21 Aug.

A private investment by officers of ship.

Respecting the price of grain and animal food supplied the stores of individuals, your Grace will observe that on taking the command I reduced the price of wheat two shillings and maize one shilling in the bushel, and fresh pork to sixpence a pound. At that price it has continued, notwithstanding our present scarcity and the great exertions that have been made to induce me to renew the former prices. Being just returned from visiting the different settlements, I have a pleasure in saying that the wheat now sown, as stated in the return, has a very promising appearance; but being subject to droughts, or the floods at the Hawkesbury, where the principal private cultivation is carried on, no dependance can be placed on its produce; but if no accident happens there will be one year's wheat for the colony, exclusive of the crop of maize; and should it wear the same promising appearance when harvested, I shall direct the Commissary to advertize for it at the lowest price, agreeable to his instructions from my Lords Commissioners His Majesty's Treasury. But in doing this, great caution must be used not to discourage agriculture too much, lest it again opens a door to monopoly (which is now almost closed), putting it in the power of two or three persons whose situations give them the means of monopolizing the grain from all cultivators on their own terms; but as this is an eventual circumstance, I shall make no farther comment on this head, as I must be guided by events; and I beg to assure your Grace that the interest of Government, and encouraging the industry of the inhabitants, will be my guide in this, as well as in every other transaction.

Prices of grain and animal food.

The settlement at the Hawkesbury.

The danger of monopoly.

It will appear by the voucher sent with this that only a small quantity of fresh pork has been given into the public stores, which will not be found extraordinary when your Grace considers the great number of people who support themselves without any dependence to the public. It has hitherto been the custom to issue salt pork purchased from individuals as salt beef—i.e., 7 lb. a man p'r week; but as the making of salt has facilitated the means of salting the pork, it is now issued at only 4 lb. a man p'r week making a saving of nearly half.

Fresh pork.

1801
21 Aug.
Quarterly
accounts.

For the clearer statement and comprehension of the contingent expenses of this colony, I have directed those accounts to be made up quarterly and closed annually, as expressed by the General Orders and printed enclosure, which will ascertain and substantiate such expences as it may be necessary to incur.

The
currency.

The inhabitants having been so long accustomed to the convenience of Government bills, and the worth of money so much depreciated that shillings and pence have never been considered of any value 'till lately, from these causes some difficulty has attended the copper coin being in general circulation. By the notice enclosed and the General Order of the 14th July,* your Grace will observe that I have regulated the payment of the copper, together with articles from the Government stores. These regulations and advantages will greatly lessen the expences, particularly as the copper coin bears an additional value; but when that specie is all given out, it will be necessary to purchase it again.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord,

21st August, 1801.

The New
South Wales
Corps.

I have the honor to enclose Lieut.-Colonel Paterson's last report of the New South Wales Corps, together with the duplicates and triplicates of my military letters Nos. 1 and 2.

Officers on
leave.

I beg leave to press on your Grace's consideration the necessity of those captains and subalterns who are now on leave in England, or others in their stead, being ordered to join as soon as possible to do the necessary duty of the regiment.

Soldiers'
rations.

The enclosures are copies of letters that have passed between Colonel Paterson and myself respecting the stoppages from the troops stationed here for their ration. What is called a full ration here is that established by Treasury warrant soon after the colony was settled, and as such has been constantly conformed to, excepting when it has been necessary to reduce that ration, which the state of the stores have often required, and happens to be the case at present, as stated in the enclosure and General Orders. The full ration, as established by His Majesty's warrant, is very different (as your Grace will observe by the enclosure) from that prescribed by the Treasury warrant for this particular colony, from which statement and those letters it will appear that the question is: As the troops do not receive the ration prescribed by

* Ante, pp. 441, 442. See also p. 256, ante.

regulation of 1798, but the ration prescribed by the Treasury 1801
 rant for this particular colony, whether the stoppages ought 21 Aug.
 be made as directed to commence the 25th May, 1797, for His The regula-
 Majesty's troops serving abroad, and in which the New South tion allow-
 Wales Corps is particularly specified? ance.

By the enclosed report of the officer acting as Engineer and Fortifica-
 tillery Officer, your Grace will observe that the platform at the tions.
 entrance of this harbour is finished, and two twelve-pounders will
 be mounted there in a few days. As Captain Abbott has not only Captain
 instructed this platform, but also repaired and made some neces- Abbott.
 sary alterations of the battery on the west point of the cove which
 commands the approach of the harbour, and having constructed a
 suitable stone building for a magazine for gunpowder, together
 with there being sufficient employment in that department to keep
 it constantly and usefully employed, I hope my former request
 for this officer being allowed such a salary or remuneration for these
 services as your Grace may judge fit will not be improper, as that
 the only expence attending our Engineer and Artillery depart-
 ments, excepting 8d. per diem to a soldier, acting under Captain
 Abbott's directions, who is paid generally in articles from the
 public stores.

Some cavalry saddles and accoutrements being received from Mounted
 Transport Office, by the Royal Admiral, and there being a guards.
 necessity for mounting six soldiers for the purpose of dispatch in
 conveying orders at the time the Irish insurgents were trouble-
 some, as well as a small guard to my person in the different jour-
 nays I take, I consulted with Colonel Paterson, who selected a
 non-commissioned officer and six soldiers who had formerly served
 in cavalry regiments. They are mounted on the horses I found
 belonging to Government, and no other expence attends them
 than one shilling per diem to the non-commissioned officer, and
 sixpence a day to each private, which is generally paid from the
 stores or in copper money. And, in order to prevent the convicts
 from seizing on any of the vessels, as has been the case so much, Guards on
 I have directed a guard to be kept on board the Colonial vessels, vessels.
 which is of no other expence to the Crown than being victualled
 with the navy ration with the accustomed allowance of half a pint
 of spirits daily.

I have the honor to enclose* a request for some articles of ord-
 nance which appear necessary for the absolute necessary defence
 of this port, to prevent it from insult by the smallest vessels
 long enough to an enemy.

I have, &c.,

PHILIP GIDLEY KING.

* This enclosure is not available.

1861
21 Aug.
The
military.

[Enclosure No. 1.]
GENERAL RETURN of His Majesty's New South Wales Corps, commanded by Colonel Francis Grose, Sydney,
21st August, 1861.

Companies.	Officers' Present.										Serjeants.				Drummers.				Effective Rank and File.				Total Effective.		Wanting to Complete.		Establishment.					
	Commissioned.					Staff.																										
	Colonels.	Lt.-Colonels.	Majors.	Captains.	Lieutenants.	Ensigns.	Adjutants.	Paymaster.	Qr.-Master.	Surgeon.	Asst.-Surgeon.	Present fit for duty.	Sick in Quarters.	On Command.	On Furlough.	Present fit for duty.	Sick in Quarters.	On command.	Present fit for duty.	Sick in Quarters.	On Command.	On Furlough.	Recruiting.	Total.	Serjeants.	Drummers.	Rank and File.	Serjeants.	Drummers.	Rank and File.	Serjeants.	Drummers.	Rank and File.
Colonel Grose's	1	..	1	1	1	1	6	..	..	..	..	2	..	..	47	4	10	..	..	61	6	2	61	..	..	0	0	70
Lt.-Col. Paterson's ..	1	..	..	..	..	1	..	..	..	..	2	..	..	..	1	1	1	1	47	1	13	1	..	62	3	2	62	..	..	8	2	70
Major Foveaux's	2	..	2	..	..	..	70	..	..	..	70	3	2	70	..	..	3	2	70
Captain Johnson's	1	1	1	..	..	..	..	2	..	1	..	..	2	..	..	44	3	14	1	..	62	3	2	62	..	..	8	2	70
" McArthur's	1	..	..	..	..	..	..	..	..	..	2	..	..	..	..	..	63	..	..	..	63	3	2	63	..	..	7	3	70
" Townson's	1	1	1	..	..	..	..	3	..	..	..	..	2	..	..	46	3	13	..	..	62	3	2	62	..	..	8	2	70
" Abbott's	1	..	..	..	..	..	..	..	2	1	..	..	..	2	..	..	49	1	13	..	..	62	3	2	62	..	..	9	3	70
" Rowley's	1	1	1	1	..	..	..	..	3	..	..	..	..	2	..	..	58	3	..	..	..	61	3	2	61	..	..	9	3	70
" Prentice's	1	..	..	..	..	3	..	..	..	..	2	..	..	43	2	17	..	..	62	3	2	62	..	..	8	3	70
Total ..	1	..	2	2	6	6	3	1	1	1	93	1	7	1	1	13	8	333	17	313	2	..	566	30	13	566	..	..	65	30	13	636

GENERAL RETURN OF HIS MAJESTY'S ARMY AND NAVY

Absent Officers' Names and Rank.	From what time.	By whose leave.	To what time.
Colonel Grose	December 15, 1794	His Majesty's .. .. .	.....
Captain Townson	February 15, 1800	do. .. .. .	.....
Captain Johnston	September 25, 1800	Governor Hunter's .. .. .	.....
Captain Prentice	do.	do. .. .. .	.....
Lieutenant Kemp	do.	Lieut.-Colonel Paterson's .. .. .	.....
Names and Rank of Officers on duty, and what duty.			
Names and Rank of Officers on duty, and what duty.		Vacant Officers, and by what means.	Names of Officers Present.
Major Foveaux, at Norfolk Island .. .. .	.. .. .	.....	Lieut.-Colonel Paterson. Ensign Laycock.
Captain McArthur, at Parramatta .. .. .	.. .. .	Lieutenant Burn, dead.	Captain Abbott. Ensign & Adjt. Minchin.
Ensign Moore, do. .. .. .	.. .. .	Lieutenant Lucas, dead.	Captain Rowley. Ensign Piper.
Ensign Bayly, at Norfolk Island .. .. .	.. .. .	Lieutenant Crawford, dead.	Captain Piper.* Ensign Barrallier.
Ensign Maundrell, do. .. .. .	.. .. .	.....	Captain McKellar.* Paymaster Cox.
Ensign Lawson, do. .. .. .	.. .. .	.....	Lieutenant Davis. Qr.-Master Laycock.
McAnderson, at do. appointed to act as Ensign by His Excellency Governor King .. .. .	.. .. .	.....	Lieutenant Patullo. Surgeon Harris.
.....	.....	.....	Lieutenant Hobbs. Asst.-Surgeon Roberts.
.....	.....	.....	Ensign Brabyn.

* Included in the column of Lieutenants, but appointed with the local rank of Captains by His Excellency Governor King.

WM. PATERSON, Lt.-Col. N. S. Wales Corps.

1861

21 Aug.

The mili-
tary.

1801
21 Aug.
Fortifications at Port Jackson.

[Enclosure No. 2.]

STATE of the Batteries and Return of Ordnance at Port Jackson, New South Wales, 21st August, 1801.

Dawes's Point or West Battery.				Bennalong Point or East Battery.				Windmill Hill.			Garden Island.			Sydney Guard-house and Parramatta.			Barrack Parade.			No. of Shot.				
Caliber.				Caliber.				Caliber.			Caliber.			Field Pieces.			Field Pieces.							
Condition.	Twelve's.	Six's.	Four's.	Total.	Twelve's.	Six's.	Total.	Twelve's.	Six's.	Total.	Twelve's.	Six's.	Total.	Twelve's.	Six's.	Total.	Twelve's.	Six's.	Total.	Twelve's.	Six's.	Four's.	Total.	
	8	10	10	12	..	4	4	4	..	4	4	..	4	..	4	4	..	..	151	213	701	1,065	..
Serviceable	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Unserviceable	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
.....	
Remarks, &c.																								
West Battery.				East Battery.				George's Head Battery.												Recapitulation.				
Commands the entrance into Sydney Cove. It is formed <i>en barbette</i> , with a glacis not yet finished.				Is on a low point of land on the east side of Sydney Cove, with four bad formed embraures in total decay.				Situatd on a commanding height near the entrance of the harbour, and appears to be well calculated to prevent any ships coming up the harbour. It is formed <i>en barbette</i> , and made to contain at present only two guns, but there is sufficient room to extend the battery for a greater number. It is an excellent stone building, 24 ft. by 18 ft., divided into two apartments—a powder-room and a firing one. The walls of this building are 3 ft. thick. It is nearly finished.												Gun Carriages.				
				Magazine ..																Serviceable ..				
																				Unserviceable ..				
																				Total ..				
																				20				
																				8				
																				16				
																				2				

ED. ABBOTT, Acting Engineer and Artillery Officer.

SOLDIERS' RATIONS.

497

[Enclosure No. 3.]

1801

ARISON between the Treasury Ration ordered for the Colony
n New South Wales, and the complete Ration ordered for
Troops serving abroad, agreeable to His Majesty's Regulation,
which places the Non-Commissioned Officers and Privates of
the New South Wales Corps under a deduction of 3½d. per
liem each man.

21 Aug.
The ration.

Weekly Treasury Rations issued from the Governor to the Convict.		Weekly Complete Ration issued to the Non-Commissioned Officers and Pri- vates of the New South Wales Corps, agreeable to the King's Regulation, there being no small articles.	
	s. d.		s. d.
flour sent from England, and light at 4½d. per lb.	2 10	10½ lb. flour sent from England, and freight at 4½d. p'r lb. . . .	3 8½
pork, at 7d. per lb.	2 4	4 lb. 6 oz. pork, at 7d. per lb. . .	2 0
maize, at 1d. per lb.	0 3		
ices sugar	0 2½		
	5 7½	Add ½ for loss	0 2½
½ for loss	0 8½		0 9½
Value of a full Treasury ration for th man p'r week	6 3½	Value of a complete Military ration for each man per week	6 11½
			6 3½
B.—These calculations are for flour ght from England. The general issue heat, or meal ground from it, the coe of the colony, which reduces price of the ration of flour in the ury ration to 1s. 8d., and that of ilitary ration to 2s. 3d., while the g to the Crown remains the same.		Difference between one Military and Treasury weekly ration . . .	0 8
		Amount of weekly stoppage, at 3½d. per diem each man	2 0½
		Saving to the Crown for one sol- dier weekly	1 4½

GOVERNOR KING TO UNDER-SECRETARY KING.*

Sydney, New South Wales,

21st August, 1801.

ar Sir,

The accompanying letters and their inclosures will give you
information respecting our present situation and some of
ature prospects. I wish it had been in my power to have
this dispatch less voluminous than it is ; but as the informa-
t contains would have been less satisfactory to myself, and
ng in full information, I could not with any propriety shorten
tence or curtail a paper. How far my exertions may appear
ve answered the mission I was sent on must appear from the
sent with this. A perusal of my General Orders will give
slight idea of what I have had and still have to encounter,
ave been obliged to enforce every Order by severe examples,
has not and will not fail to draw on me the scourge and
ition of those whose interest is and has been concerned in a

King's
despatches.

His General
Orders.

* A private letter.

1801
21 Aug.

Stopping
the traffic in
spirits.

Unpopular
measures.

King's
health.

Expendi-
ture.

A favourable
comparison.

very opposite line of conduct to that which I have found myself obliged to adopt. And even in that system I take every responsibility, as you will observe many General Orders that are no ways provided for by any instructions. If they are approved of (as the welfare of the colony and the interest of the public is materially concerned in them) I am right; if they are not approved of, I am sorry for what the situation of this colony will then be. The decided steps I have taken respecting sending the ships away with spirits has drawn forth much opposition to every plan I am framing. The arrival of the articles by the *Helen* and the *Earl Cornwallis*, with the regulations adopted thereon, has made every poor man respect me and the authority under which I act; but it is not so with the late commissioned hucksters, whose trades and shops I have totally suppressed. Taking away the servants (except two) has been a very great insult; collecting the debt formerly due to the Government has brought on me a sort of contempt I care very little about; and my late proceeding respecting the proceedings in *Lt. Marshall's trial** has finally sent me to *Coventry*, where I have no sort of objection to remaining for the time His Majesty may think proper to continue me in the command of the colony, which I have not a wish to extend a moment beyond the time of my conduct being approved of. And I beg to assure you that, oppressed as I am with a bad state of health, yet in every exertion has and will continue to be encouraging industry, managing the public concerns with the greatest economy, and not losing sight for a moment of the respect and subordination due to my situation. Without all that is observed this colony will be such a loadstone round the neck of Government that its troubles and expences will never have an end.

As the year I have been in the command is nearly closed within a few days, our expenses will not exceed the sums now drawn for, and which I have particularly stated in my public despatch. My voucher, as you will there observe, for stores which it was impossible to do without, £4,941 (including a great quantity of salt meat); for grain and animal food, £6,851; making in all for the year £11,793, of which there remained the 30th last June in store to the value of £4,164. By the papers I see the sum voted for bills drawn from New South Wales in the year 1799 was £30,000, and you will observe that we have upwards of 700 more people in the colony than there was at that time. I hope the next year will be still less expensive, as I have tied every description of fund up in such a manner that every transaction will appear publicly at the end of every quarter, and be transmitted yearly. Everything will depend on the supplies for the stores being sent out here yearly. In my despatch I have stated both a list for

* See the proceedings in the trial of *Lieut. Marshall* enclosed in *King to Portland*, 25th September, 1801, post, p. 524.

articles for barter as well as for Government use, to prevent confusion in the accounts. The articles I have ticked are such as are absolutely necessary, and if not sent out, I fear we shall be under the necessity of purchasing them, which in the end comes much higher, exclusive of the probability of the purchase being made from Americans, which takes the money from England.

1801

21 Aug.

Respecting the contract I made for the cattle from India, the price was so advantageous to Government and the terms (as none are to be received that are not healthy and good) so clear, that I hope that unauthorised part of my conduct will be approved of, as there is no other certain way of becoming independent for animal food; and how long that belonging to Government would last, if expended, I have explained by my despatch. It will be a fortunate circumstance if the rice arrives before the harvest, for we certainly shall have little or nothing to eat before our present crops come off, which look very fine and promising throughout the colony. The cattle and sheep we have are increasing daily; and the man who looks after and has the present superintendence of them has got them all into excellent good order, and cured them of the inveterate disease they had contracted.

Cattle from India.

Rice from India.

Respecting the Irish who came out here for being concerned in the late rebellion, I hope my proposal in their favor will be attended to, as many of them are real deserving characters. The rest all behave very quiet and well, as, indeed, do all descriptions, some excepted, whose conduct I have reason to be dissatisfied with. The infamous transactions that have taken place respecting the numerous erasures in the convicts' terms of transportation has introduced such confusion into the indents and Orders in Council that came with them that very few men's times can be ascertained, which bears hard upon a great number of these unfortunate people. I watch, and from what I can observe by the books, upwards of 200 people have left this colony whose terms are not expired. What to do in this I do not know. It cannot happen again, as I keep the books in my own possession ever since I have had the command, but unfortunately the mischief was done before.*

Irish rebels.

Falsification of convict indents.

The institution of the Orphan House is now fully compleated. It was the only step that could ensure some change in the manners of the next generation. God knows this is bad enough.

The Orphanage.

I hope my purchase of the vessel† will not be disapproved of, as she has, and will be constantly of great service, and no more

The Harbinger.

* The man who accompanied Governor Hunter to England as servant had apparently obtained his liberty in this way. Ante, p. 224 (note).

† The Harbinger, 56 tons, purchased from Michael Hogan by Governor King for £700. He was rechristened the Norfolk, sent to Otaheite for pork, and while there wrecked.

1831

21 Aug.

The clergy.

The case of
Lieut.
Marshall.The
Criminal
Court.Preponder-
ance of
military
officers.The
constitution
of the
Court.

than one King's ship being in the colony, she is a very good and cheap substitute at one hundredth part of the expence that any vessel of that kind would be of to the Crown.

By the returns you will observe that we have only one clergyman here. I hope the Rev. Mr. Johnston and Mr. Haddock or others in their stead, will be sent, and as Mr. Balmain take advantage of His Grace's permission, and goes by the Albion and the surgeon of Norfolk Island being now in England, I hope the latter will be sent here as soon as possible, and that the former may be returned after being a year in England, as medical assistance is much wanted in this colony.

It has given me great pain to be compelled, as I have been, to transmit the voluminous papers respecting Lieut. Marshall. To the facts contained in them I must refer. Whether I am right or wrong I hope it will be allowed that I have acted from the properest motives, and that a fair investigation will be made of those documents. In this place it is incumbent on me to say that some change in our Criminal Courts of Judicature is absolutely necessary. It is now fourteen years since the colony was first settled, and that the mode of administering criminal justice then instituted has been followed, which was certainly the only form that could have been adopted at that time. Since then many complaints and representations have been made of great misunderstandings in the administration of that justice, which ought to bear as great a resemblance as possible to the laws of England and mode of conducting trials, and, if I am not misinformed, those misunderstandings have more or less originated from various causes incident to so great a proportion of our Criminal Courts being composed of one class of people; and I need only refer to the situation Lieut. Marshall stood in when tried by so great a majority of officers for a crime against one of their own Corps. I do not mean to question the conduct of his judges (that will appear by the documents sent Home), nor to extenuate Lieut. Marshall's crime, but merely to quote that circumstance as a reason, among many others, that may hereafter occur, for the necessity of making some change in the description of members who compose the Criminal Courts, as well for satisfying the minds of the inhabitants as for promoting a strict impartiality of criminal decisions. The general class of inhabitants of which this colony is composed will by no means allow of an indiscriminate trial by jury for some, nay many, years to come. I would therefore suggest the propriety of inserting in the Letters Patent constituting the Court of Criminal Judicature, instead of the words relating to the members constituting these courts, "the Judge-Advocate and six of His Majesty's sea or land forces," to insert "the Judge-Advocate and six commissioned officers of the civil establishment, sea or land forces." There are now six officers

of the civil establishment in the colony. The interchange and mixing of them with the military officers in these trials would greatly strengthen the impartial and free administration of justice. In the instance of Lieut. Marshall, it is obvious how much easier the prisoner's mind would have been had he been tried by a more mixed description of judges, or rather jurors, who had to decide in a prosecution, that however upright and just the intentions of those officers might be, yet it was one of those situations where a man's prejudice, in what concerns a member of his own Corps, might greatly bias his judgement and conduct, and that even unintentionally, when he went into court, such is the fallibility of human nature. Respecting the situation of the Judge-Advocate in these causes, it is so well described by the person that fills this office at present that I enclose his letter,* on which, as well as the whole proceedings, I shall not comment, as they must speak for themselves if investigated by the matter of fact they contain. How many points are to be reconciled has exerted my closest thoughts. One thing I shall remark, that the arts and intrigues of a man you have heard so much about (I mean Captain McArthur) will one day or other sett this colony in a flame. Look at the art contained in his letter to me of the † in the documents,‡ and my answer. His intention was to involve me in their dirty dispute. Respecting the Judge-Advocate, you know he is only acting in the room of Mr. Richard Dore, deceased. Of him you also have heard. He is the brother of the late Sir George and of General Bowyer, and is closely connected with Mr. Samuel Thornton. He is a man of abilities, and exceeding clever, but is, unfortunately, sometimes addicted to liquor. If the salary of that officer is not raised, so as to induce some professional man of rectitude and resolution to undertake it, I do not think a proper person can be sent out than Mr. Atkins, as [I] fear few such men of abilities would undertake that situation with the present salary. As Colonel Patterson's name will appear as a member of the court against whom I form the representations that will accompany this, I beg to observe that his quiet, placid disposition by no means places him in the obnoxious point of view he may be involved in with the rest of the members who thought proper to set my authority at defiance. He is a weak, honest man, and if he acted from his own ideas of right and wrong would do the right thing; but, unfortunately, he is like many other men, "made a knave's tool of." I have been thus explicit on this point to prevent more blame being attached to Colonel Patterson than he deserves. I am sorry to mention a circumstance that ought more properly to have been the subject of a publick letter—I mean respecting

1801

21 Aug.

A suggested alteration.

The functions of the Judge-Advocate.

Captain Macarthur.

The Judge-Advocate.

Lieutenant-Colonel Patterson

a weak, honest man.

* See the letter of the Judge-Advocate, 19th August, 1801, ante, p. 460

† Blank in MS.

‡ See the documents referred to, which were sent Home by King with his letter of 25th September, 1801, post, p. 524 et seq.

- 1801
21 Aug.
Convict
artisans.
King refuses
to hire
tradesmen.
- the detention of artificers and manufacturers among the convicts on board the hulks, and not sending them here, where their work and abilities would be very usefully and advantageously employed. Much umbrage has been given to all descriptions by my not employing and paying wages to soldiers and others as artificers—i.e., to give them 5s. per diem. No; while convicts can be got I will enter into no expence of that kind. “Sir, my barrack wants new flooring, &c.”; “I have no carpenters; they are employed and can’t be broke off”; “Sir, you can hire”; “No, sir, I dare not.” These and similar conversations occupy from daylight till dark. I hope you will endeavour to put a stop to the artificers and labourers being detained in the hulks.
- Purchasing
live stock.
- I can say but little more to recommend the cattle and stock belonging to those who have made their proposals to have them purchased for the Crown being accepted of. That responsibility I by no means consider myself authorized to enter into, but it certainly would be very advantageous, for the reasons stated in my publick letter.
- Salt pork
from
Otaheite.
- I hope the Otaheite plan will answer. In that case, I hope to be able to announce by the next conveyance the probability of our being able to supply ourselves, in part, with salt pork, as we now make plenty of that article; and when we get salt-pans out, we shall make still more. Still it will be absolutely necessary to send a supply of salt meat out here immediately, as you will observe by the returns that before any can come from this request, that we shall have little or none left; and had it not been for the quantity we bought from the Americans, and the supply from Norfolk Island, we should have been very short. It will appear that all we purchased from the Americans were, at least, 3d. per lb. cheaper than it could be sent from England.
- Supplies re-
quired from
England.
- The want of another vessell of 3 or 400 tons is very great, and will be more so if Otaheite succeeds—which I am very sanguine about. We have a report that the *Xenophon** is coming out here, and is to be employed surveying. Surely the vessells we have here are equal to that service; and a ship of her tonnage might be more usefully employed going for salt meat to Otaheite.
- The survey-
ing vessel.
- Manufature
of blankets.
- Altho’ we do make a few blankets, viz., as many as we can get wool from Gov’t stock, and what we get from that of individuals, yet that number is barely sufficient to employ the men we have at work, and amount to a penny per yard when we return what is coming to those who supply the wool. Most of the people who came out here last, and those here before, are totally destitute of blanketts, or any bedding. I hope some will be sent out, for the necessity of this article is very great and pressing, as, indeed, are all the wants I have stated.

* The *Xenophon* was the original name of Flinders’s vessel, the “*Investigator*.”

From the statements that accompany these dispatches, I think a very fair estimate of our yearly expenses may be made, both at Home and here. At the end of the year that calculation shall be made here. However, this must vary according to the additional number of people sent out; yet it will be my plan to let as nearly the same numbers go off the stores as new hands arrive. You will see by the returns that upwards of two thousand full rations are of no expence to the Crown, which, if maintained, would be at least £20 a head.

1801

21 Aug.

The annual
expenditure.

Nothing more strikes me at present to trouble you with on public matters, only, if I do wrong, as *I have stated everything*, I have not a wish to remain here beyond the time when my services may be judged necessary. If my conduct is approved, I hope not to remain for a longer time than five years from my first arrival, for which period my quiet, health, and every valuable consideration in life shall be sacrificed to my duty; and then I shall return a poor man, as my expences has already cost me £580 since I arrived for the mere articles of living. This brings me to express a hope that no difficulty will attend my agent receiving the whole of the salary as Governor—I mean the £1000—otherwise I can assure you the gates of jail will be open to receive *me or mine*.

King's
despatches.The cost of
living.

I have sent a box containing specimens of plants and seeds for your disposal.

I am, &c.,

PHILIP GIDLEY KING.

You will observe by a separate letter I have written, or rather postscript at the bottom of my military letter, that Captain Abbott, who I had appointed to act as Engineer Officer, &c., has resigned that situation, in consequence, I suppose, of the steps I took respecting Lieut. Marshall. As Capt. Abbott's expectation was a guinea a day, I have consulted with Capt. Paterson, and appointed Ensign Barralier (who is the *protégé* of Mr. Greville) to do that duty, which he is very equal to, and shall pay him 5s. a day, altho' I hope, when his services in surveying, as well as these other duties are considered, that I may be allowed to draw for 10s. a day, as he is a young man of very great abilities, which you will observe by the accurate surveys sent with these letters.

Captain
Abbott.Ensign
Barralier.

GOVERNOR KING TO TRANSPORT COMMISSIONERS.
(King Papers.)

Gentlemen, Sydney, N.S. Wales, 21st August, 1801.

By the way of India I had the honor of writing you, a duplicate copy of which accompanys this. The Earl Cornwallis arrived here the 10th June. By that ship I received your

The Earl
Cornwallis.

1801 letters and their several enclosures, together with the stores, provisions, and passengers, the Commissary's receipt for all which I enclose. The difference between the number of prisoners sent on board and landed here the master accounts for by their having died of the dysentery during the voyage. Many of those landed are extremely weak and feeble.

21 Aug.
Mortality on
the voyage.

Reciprocity
of feeling. No complaint has been made of improper treatment during the voyage, and what is very extraordinary no complaint has been made by the agent or master of any very bad behaviour of any of the prisoners during the voyage. On the contrary they both speak to their advantage. I am sorry to observe that Lieut. Crawford, of the New South Wales Corps, was drowned at Rio de Janeiro. The ship was cleared within the time allowed; therefore no demurrage has taken place.

Damaged
and deficient
cargo. Among the stores received by the Royal Admiral many deficiencies and totally damaged articles have been discovered, the exact number of which cannot be ascertained until the whole are issued, particularly the shoes, as many of the casks are deficient ten and twenty pair. The casks do not appear to have been opened or touched on the passage.

Bad packing As I have made a request for more articles being sent out here to exchange with the settlers for grain and animal food, I have recommended those articles that are liable to be damaged by leaks and chafe to be put in packing cases or casks as some of the bales, &c., by the Earl Cornwallis are damaged by these causes. I have also sent a pattern hoe, as those sent out by the Cornwallis are not of much use. A case of vitriol was received from the Cornwallis which the master can give no other account of than that he received it from your office.

The case of
Lieutenant
Marshall. Agreeable to your wish I engaged a passage for Lieut. Marshall in the Albion, South Sea whaler, for the sum of eighty-four pounds, but unfortunately between the time of my engaging his passage and that ship's departure he involved himself in a disagreeable situation, which brought on him the sentence of a Criminal Court of Judicature on one indictment to pay a fine of £50 to the King and suffer one year's imprisonment; and on the other indictment a special verdict was found. From some alledged illegal proceedings of the Court, and other circumstances, I have granted him a conditional remission of the sentences expressed in the instrument which I have directed him to communicate to your Board.

I have directed Lieut. Grant to send duplicates of his correspondence respecting the Lady Nelson.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO SECRETARY NEPEAN.

1801

Sydney, New South Wales,

Sir,

22nd August, 1801.

22 Aug.

With this I have the honor to transmit the order and examination of Mr. John Muray,* late master's mate on board His Majesty's armed vessel Porpoise, and now mate on board His Majesty's armed surveying vessel Lady Nelson, where he is a very active and deserving young man, and as such I hope there will be no impropriety in my recommending him to their Lordship's notice.

Lieutenant
John
Murray.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

In pursuance of the directions of Sir Roger Curtis, Bart., Vice-Admiral of the White, and Commander-in-Chief of His Majesty's ships and vessels employed and to be employed at the Cape of Good Hope and the seas adjacent, dated the 8th July, 1800.

WE have examined Mr. John Murray, who appears to be more than twenty-one years of age, and has been at sea more than six years† in the ships and qualities undermentioned, viz. :—

Murray's
services in
the Navy.

Ships.	Entry.	Quality.	Discharge.	Y.	M.	W.	D.
Duke ..	9 June, 1789 ..	Able seaman ..	2 Dec., 1789 ..	..	5	2	2
Polythemus ..	10 Oct., 1794 ..	Midshipman ..	7 May, 1797 ..	2	7	2	..
Apollo ..	8 May, 1797 ..	Mate ..	27 Dec., 1797 ..	..	8	1	3
Blaser ..	2 Jan., 1798 ..	2nd master and pilot ..	26 July, 1798 ..	..	7	1	3
Porpoise ..	7 Oct., 1798 ..	Mate ..	9 July, 1800 ..	1	0	..	..
				6	1	3	1

He produceth journals kept by himself in the Polythemus, Apollo, and Porpoise, and certificates from Captain Lumsdine, Manly, and Scott, of his diligence and sobriety. He can splice knots, reef a sail, work a ship in sailing, and shift his tides, keep a reckoning of the ship's way by plain sailing and Mercator, observe the sun and stars, and find the variation of the compass, and is qualified to do the duty of an able seaman and midshipman.

Given under our hands, on board His Majesty's ship Adamant, in Simon's Bay, Cape of Good Hope, this 9th day of July, 1800.

J. MOTHAM	}	Captains of His Majesty's ships	Adamant.
THOMAS LARCOM			Lancaster.
ROGER CURTIS			Rattlesnake.

* Lieutenant John Murray was in charge of the Lady Nelson in February, 1802, when Port Phillip was discovered.

† See Nepean to King, 5th May, 1802. This statement of services was erroneous.

1801

CAPTAIN MACARTHUR TO LIEUTENANT-COLONEL PATERSON.

22 Aug.

Sir, Sydney, 22nd August, 1801.

The detach-
ment on the
Earl
Cornwallis.

I have the honor to inform you that on the 10th of June the Earl Cornwallis, transport, arrived here, and brought a detachment belonging to the regiment that had been embarked in England under the command of Lieut. Henry Crawford.

Death of
Lieutenant
Crawford.

This young officer—I heard with great concern—had fallen overboard from the ship on the night of the 3rd of February, at Rio de Janeiro, and was drowned. As soon as this melancholy circumstance was communicated to me by the agent of transports who came in the ship (a Lieut. Marshall), I enquired from him whether Lieut. Crawford's effects had been secured, considering him a responsible person as a King's officer. He astonished me: he knew nothing of them. They had been taken care of by order of Mr. Ferrand the commander of the Cornwallis. This I thought to be irregular, but not suspecting anything wrong, I made no observation upon it. As soon as Lieut. Crawford's effects could be obtained from the ship, I caused them to be advertised for sale, and in a few days after they were sold at public auction for the benefit of his legal representatives.

Sale of his
effects.

A charge
against the
agent of
transports.

The day succeeding the sale it was reported to me by several officers that effects of Mr. Crawford's, to a very considerable amount, had been kept from my knowledge, and it could be proved the agent of transports had taken a very valuable gun and substituted a common one of his own in its place, which had been landed with the other effects as Lieutenant Crawford's, and sold at the auction. It was also reported to me that he had purloined some bedding and other effects.

Macarthur
interviews
him.

I was unwilling to believe a British officer cou'd be guilty of such shameful acts, and therefore I determined to call on Lieut Marshall immediately, and in the gentlest terms I was master of, to acquaint him with the report, that he might bring his accusers to punishment if it were false. I did so. At first Mr. Marshall denied the charge, and expressed himself very much obliged to me for the delicacy I behaved with. I then observed that the plainest way of proceeding wou'd be to produce the gun said to be Lt. Crawford's, as no doubt many of the people of the ship knew their different guns. This staggered him. He faltered, hesitated, and at last said he wou'd not be positive; the guns might have been exchanged by mistake; if so it should be rectified. I was now convinc'd of his guilt, and told him he was also accused of taking Lt. Crawford's bedding, particularly a counterpane which it was said he had exchanged for a horse-rug. He admitted that he had made such an exchange, but declared he had done it to pay himself some money that Lt. Crawford was in his debt. I replied that he had better return any part of the property

A further
charge.

belonging to Lieut't Crawford, and that if he had any demands he must prove them, and he would be paid. I then left him. 1801

What passed after, in consequence of this affair, you are already fully acquainted with, and a repetition of it here is rendered unnecessary, by the ample relation of the different evidences called upon my prosecution against Lt. Marshall for an assault, as may be seen in the trial. 22 Aug. Subsequent events.

The events which have succeeded that trial, and your sentence upon Lt. Marshall on Capt'n Abbott's prosecution, are also so well known to you, I shall therefore trouble you no further than to entreat your attention to the accompanying correspondence between His Excellency Governor King and myself* occasioned by an opinion (that I thought myself justified in entertaining from the manner in which Lieut. Marshall received his pardon) that some representation unfavourable to me and Captain Abbott was intended to be made to His Majesty's Ministers. Correspondence between King and Macarthur.

I have, &c.,
JOHN MCARTHUR,
Captain, N.S.W. Corps.

GOVERNMENT AND GENERAL ORDERS, 1801.

23rd August, 1801. 23 Aug.

NOTICE.—The working hours to be from daylight till 8 o'clock, and from nine to one. The bell will ring at gun-fire in the morning, and it is expected that every person will be at work at daylight. The breakfast bell will ring at eight, and at a quarter before nine, at which time every person is to return to their respective labour. Hours of labour for convicts.

Capt. Abbott, of the New South Wales Corps, having resigned his appointment as Acting Engineer and Artillery Officer, Ensign Francis Barrallier is appointed to that situation, and Serj.-Major Jamieson to be his assistant. The Engineer and Artillery Officer.

PHILIP GIDLEY KING.

COLONEL PATERSON TO GENERAL BROWNRIGG—MARGINAL NOTES
BY GOVERNOR KING.

Remarks by Governor King.

1st. I fully acquit Col'l Paterson of being the inditer, altho' he has signed this letter.†

Sir, Sydney, 24th August, 1801. 24 Aug.

1st. Some events have lately taken place in this settlement of so serious and disagreeable a nature that I feel myself under the necessity of making a representation of them to you, sir, that it may be submitted to the consideration of His Royal Highness the Commander-in-Chief. A disagreeable duty.

* See this correspondence on pp. 545 to 558, post.

† It would appear that King regarded Captain Macarthur as the real author of this letter.

- 1801 2nd. I am sorry that Col'l Paterson's zeal to promote His Majesty's service induced me to allow his ever quitting this place for a moment, and had he not gone these events would never have happened.
- 21 Aug. Macarthur in command.
- The effects of Lieut. Marshall. 3rd and 4th. Respecting Lieut't Marshall's degree of guilt, see correspondence
- Macarthur's letter. 4th. The circumstances which this discovery produced are partly recited in a letter to me from Captain McArthur, which, with the papers that accompanied it, I do myself the honor to enclose a copy herewith (No. 1)*
- Actions against Lieut. Marshall. 5th. It will therefore be only necessary for me to state, for His Royal Highness's further information, that in consequence of Captains McArthur and Abbott having entered actions at the suit of the Crown, I was ordered by His Excellency Governor King to sit on a Criminal Court with four other officers of the New South Wales Corps, Lieutenant James Grant, of the Royal Navy, and the Judge-Advocate of the colony, for the trial of Lieutenant Marshall.
- Copies of proceedings of the Court. 6th. Copies were applied for by Lieut't Marshall and his prosecutors, which I did not consider myself justifiable in granting, as the special verdict found on Captain McArthur's prosecution required attested copies being transmitted to the Secretary of State.
- A letter from the Governor. 7th. See correspondence.
- 2nd. On the 8th of June I gave up the command of the New South Wales Corps to Captain John McArthur to proceed to the northward on a surveying expedition; and on the day of my departure from hence the Earl Cornwallis, transport, arrived with a detachment of soldiers on board that had been embarked in England under the command of a Lieut. Henry Crawford, who was drowned at Rio de Janeiro.
- 3rd. When the unfortunate loss of this young officer was reported to Captain McArthur, he caused the necessary enquiries to be made for the securing and recovering his effects, and these enquiries led to a discovery that part of them had been embezzled and exchanged by a Lieutenant Marshall, of the Royal Navy, who sailed in the Earl Cornwallis in the office of agent of transports.
- 6th. To have rendered this representation perfectly clear it would have been necessary that I should have sent with it copies of the trials of that officer, and of the memorial and letters which the trial on Captain Abbott's prosecution produced, but they were not to be obtained. An attested copy of the whole, however, is to be transmitted by Governor King to His Majesty's Principal Secretary of State for the Home Department, and I presume it may be without difficulty procured for His Royal Highness to inspect.†
- 7th. In this copy will be found one of a letter‡ from Governor King, charging the Criminal Court with having publicly insulted his legal commands, and with directly disobeying his orders by declining to proceed

* See Captain Macarthur's letter to Lieut.-Colonel Paterson, 22nd August, 1801, ante, p. 406.

† See Governor King's letter to the Duke of Portland, 25th September, and its enclosure, post, pp. 524 to 568. ‡ Post, p. 538—King to Atkins.

tinued.

to an investigation and to examine such evidence on certain allegations contained in a memorial from Lieutenant Marshall, and concluding with a declaration that he (Governor King) was determined to submit this charge to His Majesty's Secretary of State and to claim His Majesty's most gracious support in the authority he is entrusted with.

1801

24 Aug.

trials began 29th 30th I received al [post, p. 535], red by No. 3 37]; the trials . 4th at noon, arshall was first

The remainder I read the pronounced next morning letter.* These pe, will refute l insinuation. he court were will appear by a. 3 to 7, and by 10 to 17 and 21 ling five depositions which I must anation of those traditions.

8th. The copy transmitted to the Secretary of State will show that at the time the memorial and evidence here alluded to were offered to the Criminal Court, Lieutenant Marshall had been some days suffering under its sentence, and this consideration operated as a reason for declining to enter into any new investigation of an affair which it had before decided and passed sentence on. This opinion was joined in by every member of the court, but, unfortunately, happening to be different from what Governor King thought right, it occasioned the severe and threatening letter quoted in the foregoing paragraph. [King to the Judge-Advocate, post, p. 538.]

Lieut. Marshall's trial.

The verdict of the Court.

fully answered since to the pregraphs. Had on acted from as, I am confident have done st and honour has been misled e of one whose e now detests, ounsels he has son to lament. Advocate went with Lt. Marshall memorial wer to it, when rs refused to y letter No. 1.† s-Advocate and t (which they any) had been

9th. The anamadversons contained in this letter, and Governor King's declaration that it was his intention to transmit to His Majesty's Ministers so serious a complaint, made me feel considerable uneasiness, and therefore I thought it proper to endeavour to justify my own conduct, and that the persons united with me on the Criminal Court should do the same. To effect this it appeared necessary to request a copy of Lieutenant Marshall's memorial and of Governor King's letter (the Judge-Advocate having been directed to withhold the original), but Lieutenant Grant and the Judge-Advocate refused to peruse any measures for their justification, and therefore I was only joined in this request by Captains McKellar and Piper, Lieutenant Davies, and Ensign Hugh Piper (see No. 2). No. 3† is Governor King's reply, in which he positively refuses to allow copies to be given on the subject. The letter

King sends the papers Home.

Lieut. Grant and the Judge Advocate.

, which was addressed to the Judge-Advocate, is not available, but the will be found on p. 547, post [Enclosure No. 4].

Mc.
pendence referred to in this letter and in King's comments, will be found overnor King's despatch of 25th September, 1801, post, p. 524. No. 2 is 9, post, p. 540, Officers to King; and No. 3, the following letter, on the same

1801 consulted, why was that not stated in the five military members' letters, Nos. 9 and 11? Had the court attended to the observations, the Judge-Advocate was ready to make from the authority of the books he carried with him for that purpose, they would have seen that the intemperate and disrespectful language used in that letter (No. 11) but ill became them to offer or me to receive.

Correspondence. 10th. For the number of letters, see correspondence, No. 12, 13, 14, 21 (including five depositions), 25, and 28.† How to reconcile these contradictions is out of my power. The insinuation respecting "the opinion giving so much displeasure," I shall make no other observations upon except that it draws the principal composer of this letter from behind the canvas.

Paterson's duty. 11th. I never considered the officers of the N.S.W. Corps on that trial but as members of the Court until they compelled me by their letters, Nos. 9 and 11,‡ to address them particularly. Events have explained the purport of these dark insinuations. I fully approved the Court's sentence on Capt'n Abbott's just cause of prosecution; and had it thought proper to do itself and the prisoner the justice of attending to my legal commands, probably Lieut. Marshall would now have been expiating that sentence.

Confusion of functions. 12th. This disquiet is chiefly to be attributed to the restless disposition of an individual. And in this

No. 4§ was then written, containing a recital of Governor King's letter from memory and the reasons which we had to offer for not complying with his order.

10th. This was answered by No. 5 from Governor King, and its enclosure, No. 6; from Lieutenant Grant and the Judge-Advocate, in which both these gentlemen deny that they concurred with us in the opinion that gave so much displeasure. No. 7,¶ and the depositions that accompanied it, produced the letter No. 8, enclosing two letters from Lieutenant Grant and the Judge-Advocate;** and thus terminated this extraordinary and very disagreeable correspondence.

11th. When the whole of these papers are examined, I respectfully hope that His Royal Highness will be of opinion that I have endeavoured to discharge my duty to the best of my judgment; and if His Royal Highness should be pleased to interfere, so as to prevent the officers of the New South Wales Corps from being again threatened in the manner they have been for discharging their duty according to their conscience in a Court of Justice, where they are sworn to decide in obedience to the laws and not in conformity to the pleasure of the Governor, it will be received by them all with the deepest gratitude.

12th. And here permit me to remark to you, sir, that most of the disquiet which has agitated this settlement, and does agitate it, is chiefly to be attributed to the unfortunate

* Post, pp. 540, 541. † Post, pp. 543, 544, 556, and 557. ‡ Post, pp. 540, 541. § No. 4 is identical with Enclosure No. 11, post, p. 541. ¶ Identical with Nos. 12 and 13, post, p. 543. ** The letters of Grant and the Judge-Advocate will be found on pp. 552 and 554, post.

withstanding
(unsuccessful)
Col'l Pater-
at variance,
have so sin-
and respect
Col. Pater-
nt of anger,
n to lend the
ame to what
mms, which
ove.

mixture of civil and military duties which exist in this country. But for this, I would be answerable that the most entire concord would be maintained between the officer in command and the officers of the New South Wales Corps; and were it possible to make such a change in the laws constituting the Courts of Civil Justice, as that the officers might no longer be called to sit upon them, I am positive such a change would tend greatly to restore the shattered peace of the colony, and to preserve it in future.

1831

24 Aug.

esent Judge-
ly acting in
and the ap-
gon a person
tion will be
ble and bene-
sfare of the
Mr. Atkins
person here
office, I ap-
act, on Mr.
because he
e that duty
predecessor's
or has he, in
e that I know
ary to strict
partiality.
; the officers
nbers of the
; in question
advice the
e was ready
ations, as far
n me, are of
re that needs
me, being
y own integ-
e of my con-

13th. But if this be not attainable at present, I must humbly intreat that His Royal Highness will use his influence that some means may be tried to ascertain that the person who may fill the office of Judge-Advocate in this Colony (and who as such presides in all but the military Courts of Justice) may be a gentleman of integrity, honor, and ability, and possessing some general legal knowledge. If such a man were appointed to that office there would be no danger of seeing the officers involved in difficulty and in doubt, as now unhappily but too often happens, his opinion in all ambiguous cases would greatly influence theirs, and absolutely govern it in all points of law on which they must be uninformed; and most probably he would have so much weight with the Executive power as to restrain it from improper interference. The officers would have no cause to fear when they joined in opinion with a gentleman of this description, that he would afterwards deny that he had given any opinion (even tho' it should prove opposite to the will of the Governor), and they would be certain not to be forsaken and left alone to maintain on unequal grounds the propriety of their conduct.

The Judge-
Advocate.

A man
learned in
the law re-
quired.

9th, and 10th

14th. This, sir, I am assured you will admit is a very cruel situation for officers to be placed in, and yet it is no imaginary case, for one of the trials which occasions this representation absolutely caused the present Acting Judge-Advocate of the colony to deny the opinion he had given in conjunction with myself and the other officers who composed the Criminal Court.

Situation of
officers.

e Judge-Ad-
referred this
it more par-
him, altho'

15th. If this circumstance should appear satisfactorily proved, as I hope and trust it will from my deposition and the others that accompany it, I conclude there can be no

1801
24 Aug.
Richard
Atkins.

not without the usual stile of insinuation against me.

I appointed him for three reasons: first, because no other person in the colony was any ways eligible to that office; next, because he was ordered on a former occasion to do that duty by the Secretary of State; and thirdly, because Gov. Hunter was very well satisfied with his conduct while he officiated; and as I have had no cause to be dissatisfied with his public conduct, I by no means reproach myself with having appointed him to act in that situation until His Majesty's pleasure is known.

Brownrigg
referred to
Balmain.

The papers referred to in the above replies were transmitted by the Albion. Duplicates will be sent by Capt'n McKellar.

PHILIP GIDLEY KING.

doubt but His Majesty's Ministers will dismiss Richard Atkins, Esquire, the Judge-Advocate, from the office he so unworthily filled, and which it is astonishing he was ever thought by Governor King a proper person to appoint to, as his character for low debauchery and every degrading vice, as well as a total want of every gentlemanly principle, is universally known throughout this settlement.

16th. I have been obliged to write in great haste, as the ship (Albion) sails early to-morrow morning, but if I have omitted any necessary explanation I beg leave to refer you to Mr. Balmain, the principal surgeon of the colony, who will have the honor to deliver my letter. He is fully competent to answer any questions relative to the representation I have made, as he was employed as a magistrate to inspect and attest the papers transmitted by Governor King, and was also a witness of many of the events which they relate to.*

W. PATERSON,
Lieut.-Colonel.

GOVERNMENT AND GENERAL ORDER.

25 Aug.
Disposal of
Government
trade.

25th August, 1801,
THE Commissary is directed not to issue any more articles from the Cornwallis investment until after the ensuing harvest, that the settlers (for whose purposes that investment was principally designed) may be advantaged thereby; consequently, no more orders are to be applied for until notice is given that the store is again open.

PHILIP GIDLEY KING.

SECRETARY CHAPMAN TO LIEUTENANT MARSHALL. (King Papers)

Lieutenant
Marshall's
arrest.

Sir,
Sydney, 25th August, 1801.
The Governor has directed me to write to you to desire that you will not fail to comply with the tenor of your conditional remission of the sentence passed upon you by the Criminal Court,

* See the Judge-Advocate's comments on this letter, post, p. 563.

y delivering yourself up within fourteen days after your arrival
in England to the Secretary of State; also that you show that
instrument immediately on your arrival to the Commissioners for
conducting His Majesty's Transport Service.

1801
25 Aug.

I am, &c.,

W. N. CHAPMAN,

Secretary.

GOVERNOR KING TO THE RIGHT HON. C. F. GREVILLE.

Sir, Sydney, 25th August, 1801.

You will receive a few lines from me in haste, as indeed is
the case with this. The resignation of a captain who did the
duty of Engineer and Artillery Officer, has enabled me to appoint
Barrallier to the situation. Will you get him confirmed? He
has great ability, as you will see by his charts. He thinks and
acts well, and as such I do not doubt will receive your protection.
I have sent many little things to Sir Joseph, but I fear they will
be nothing in comparison to the scientific offerings from him.

Ensign
Barrallier.

Yours, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Dear Sir, Sydney, 25th August, 1801.

The person charged with my dispatches is Mr. Wm. Bal-
main, surgeon of this colony, who avails himself of His Grace's
permission to return to England on leave. His long residence in
this colony enables him to be possessed of every circumstance
respecting it, and in the situation he has been in he has been
very useful. Should you wish any information from him I do
not doubt he will be ready to give it.

Surgeon
Balmain.

Yours, &c.,

PHILIP GIDLEY KING.

GEORGE CALEY TO SIR JOSEPH BANKS. (Banks Papers.)

[Extract.]

Sir, Parramatta, 25th August, 1801.

About 11 o'clock at night on 12th February, 1801, I was
woken by an earthquake, which gave repeated shocks for about
three minutes, though in other places not far from me it was said
not to last above a few seconds. At Sydney I believe it was
not little felt, but at the Hawkesbury it was felt as severe as
with me. It came from the east and proceeded to the west—that
is, it began at the eastern end of the house and went off at the
western. It first began like thunder at a distance, and shortly

Earthquake
at Parra-
matta,

Sydney, and
Hawkes-
bury.

1801 after the floor began to move under me with such violence as I think would have thrown me down had I been standing up or walking. Fortunately, no farther damage was done than a few brick houses a little shattered, where it was felt with less violence than with me. Had the like happened in England the consequence must have been fatal, for the buildings would have been very much shattered and many thrown down. At this time the weather was hot and close, and the clouds very large. Thunder and lightning is very common, but of late we have not had any. I lament that I was asleep, as at first when it waked me I was like as if I was stupefied.

Yours, &c.,

GEORGE CALEY.

A conflict with natives.

P.S.—While I was away in the Lady Nelson a variance happened at Parramatta betwixt some of our people and the natives, whereby the latter killed one of the former and wounded a few others, and also plundered some houses. I believe the Governor gave strict orders to shoot them, and the military went in quest of them several times, but were not able to meet with them; however, these bush natives have not returned into the camp since, though they used to be continually one or another in before. They are not far off in the woods, and the uproar is almost over. Let them behave indifferently to our people, it will not do for me to fall out with them. I have every reason to believe that the whites have been the greatest aggressors upon the whole. At other places in the colony the natives adjoining, frequent the inhabitants. I mean to keep a bush native constant soon, as they can trace anything so well in the woods, and can climb trees with such ease, whereby they will be very useful to me, and shall gain a better knowledge of them.

Caley's attitude.

Black-trackers.

GOVERNOR KING TO SIR JOSEPH BANKS. (Banks Papers.)

Dear Sir, Sydney, 25th August, 1801.

The waratah in England.

Hops required for the colony.

By the Albion I have sent you the boxes marked as P-margin, which I do not doubt you will receive in very good condition, and if I have sent you a pack of unacceptable rubbish I hope my ignorance will be repaid by the things Col. Paterson and Caley will forward to you by this same conveyance. I have also sent in the Albion a box of waratahs, and the earth is secured with the seed. They are in the care of Mr. Balmain, principal surgeon of this colony, who has been here since its first settling, and who will have the honor of delivering this to you. I hope the misfortunes of the Porpoise will not prevent you from making one more trial about the hops. I think it might be accomplished by the whalers. If the Albion, or the person who commands her, comes out again I am sure he will take every care of them. Do

you think by putting them in small boxes—in a covered box that the waratahs go hence in—that it would do? I think it it. I have sent the charts in the Duke of Portland box. In roll is, as well, one undirected; it is meant for Mr. Chas. ville, from his *protégé*—Barallier. Should my agent find any culty in getting my full salary, I have desired him to request kind assistance, as you know it was promised me, for I can re you I earn it dear enough. The number of boxes sent you me from me and one from Cayley. The letters are in the Sec. tate's box. The gentleman who will have the honor of deliver- this letter to you is Mr. Balmain, principal surgeon, who goes e with the Sec. of State's leave. As you will find him a very municative and sensible man, his having been in the colony its first settling will I hope be a recommendation to your ce.

1801

25 Aug.

King's
salary

well earned.

Surgeon
Balmain.

I am, &c.,

PHILIP GIDLEY KING.

LIEUTENANT GRANT TO GOVERNOR KING. (King Papers.)

r, Lady Nelson, Sydney, 31st August, 1801. 31 Aug.

From the little knowledge I have of nautical surveying, understanding a vessel is coming out with gentlemen of stific knowledge in that line, I respectfully beg leave to return Europe by the first favourable opportunity, where I may be led to render myself more serviceable to my country.

Lieutenant
Grant's
resignation.

I am, &c.,

JAMES GRANT.

GOVERNOR KING TO LIEUTENANT GRANT.

ir, Sydney, 1st September, 1801. 1 Sept.

In answer to yours of this date stating that, from the little wledge you have in nautical surveying, and understanding a ship is coming here with gentlemen of scientific know- e in that line, and require my leave to return to Europe by first opportunity, where you may be enabled to be of more ice to your country, I can have no objection to your availing self of the first opportunity that may offer for that purpose, I should [have] been glad if your ability as a surveyor, or g able to determine the longitude of the different places you ht visit, was any ways equal to your ability as an officer and aman.

Lieutenant
Grant
desires to
return to
England.

ou will, therefore, prepare your accounts of the remains of s that vessel has on board, and deliver me all the mathe- ical instruments, books, papers, charts, &c., and furnish me a list of stores deficient from that vessel's outfit in England he present time, noting what has been delivered into His esty's stores.

Order to
prepare his
accounts.

Yours, &c.,

PHILIP GIDLEY KING.

1801

GOVERNOR KING TO LIEUTENANT MURRAY. (King Papers.)

3 Sept.

3rd September, 1801.

Lieutenant
Murray vice
Lieutenant
Grant.

LIEUT. James Grant having obtained my leave to return to England, you are hereby required and directed to take upon you the charge and command of His Majesty's armed surveying vessel Lady Nelson as acting lieut. and commander, strictly charging all the officers and crew of the said armed surveying vessel to behave to you with all due respect and obedience; and you are to obey all such orders and directions as you may from time to time receive from me or any other your superior officer for His Majesty's service. For which this shall be your authority.

Given, &c.,

PHILIP GIDLEY KING.

SURGEON JAMISON TO LORD HOBART.

My Lord,

3rd September, 1801.

Jamison's
complaint.

It is with much concern I take the liberty of trespassing on your Lordship's time. The awkward situation I am placed in at present I trust will be a sufficient appology, particularly as I conceive it my duty to apprize your Lordship of my intentions, in order that the service might not suffer, and to prevent any reprehensibility being attached to me hereafter.

Returning
to colony by
request.

Accom-
panied by
wife and
family.

An intruder.

I have had the honour of serving His Majesty upwards of twenty-two years, and never had the misfortune to be so unpleasantly circumstanced as I am at this instant. Before my departure from the colony of New South Wales, I had obtained leave from His Majesty's Ministers to remain twelve months in Europe to settle my private concerns, but at the wish of Mr. King I gave my acquiescence to return in the first ship which sailed for that colony. At the same time I requested permission to take Mrs. Jamison and family with me, as I intended remaining some time in the colony. It was granted, and the cabin ordered for our accommodation. Altho' it was small and ill-fitted up, yet I was contented. I here beg leave to observe that it is only twelve feet by eleven—a small place for seven in family to mess and sleep in. It was only intended for six passengers at first, and there are only six single bed-places fitted up; but as I expected it solely for the use of the family, I intended to have been at some expence to have made the place more comfortable. My intentions are now frustrated, as I am give to understand that a Mrs. Atkins ordered a passage in the cabin, and is to have one of the bed-places. As she is a person that I could not associate with, as an officer in His Majesty's service, I feel myself under the necessity of begging leave to decline going in the *Atlas*. *

* The *Atlas*. Jamison embarked in this vessel, but in consequence of a dispute with the captain he left the ship at Rio.

It would answer no purpose, as it would be impossible under these circumstances to take my family. It would, therefore, defeat my intentions of remaining any time in the colony ; but least it should be conceived that I do not wish to go at present, I beg leave to observe that all my baggage is on board, and should your Lordship think proper to order the cabin solely for the accommodation of my family, I will embark immediately ; or should I have permission to remain till a more favourable opportunity offers, I shall be ready to comply with your Lordship's orders on the shortest notice. I have, &c.,

1801
3 Sept.

Will go if
allowed
cabin.

THOMAS JAMISON.

GOVERNMENT AND GENERAL ORDER.

4th September, 1801.

4 Sept.

THERE being a necessity for altering the ration now under issue, the following increase and decrease of the different species are to be issued until further orders, which the Governor hopes will hold out until the harvest is got in, viz. :—

Alterations
in ration.

To Civil, Military, Overseers, and Constables.

To civil and
military.

Men—Per week.

Wheat, 7½ lb.
Pork, 3 lb., or beef, 5 lb.
Sugar, 6 oz.

Women—Per week.

Wheat, 4 lb.
Pork, 2 lb., or beef, 3½ lb.
Sugar, 4 oz.

To Prisoners.

To convicts.

Men—Per week.

Wheat, 6 lb. ; maize, 2½ lb.
Pork, 3 lb., or beef, 5 lb.
Sugar, 6 oz.

Women—Per week.

Wheat, 4 lb.
Pork, 2 lb., or beef, 3½ lb.
Sugar, 4 oz.

A proportion of slops will be issued to the prisoners and free-men victualled from the public stores, on Friday, the 11th, and Saturday, the 12th inst., when those who do not attend will be excluded.

Clothing for
prisoners
and
freemen.

No prisoner will be allowed to go off the stores for four months after the slops are issued, and any person purchasing such slops will be dealt with according to former Orders on that head. A proportion of slops will be issued to the women at flax-work, and to some children, on Saturday, the 19th instant.

GOVERNMENT AND GENERAL ORDER.

7th September, 1801.

7 Sept.

MR. JAMES THOMPSON, Acting Principal Surgeon to the territory, being sworn in as a magistrate for the County of Cumberland, is as such to be respected and supported.

Surgeon
Thompson.

The acting magistrates at Sydney are : The Acting Lieut.-Governor, the Judge-Advocate, John Harris, Neil McKellar, and James Thompson.

It is expected that the officers, civil and military, do wait on the Governor at ten o'clock the morning after his arrival at headquarters, or at any of the other settlements where he may visit,

1801 when the officer in command will deliver returns of the regiment
 7 Sept. or detachment they command. PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

10 Sept. 10th September, 1801.
 Licensed victuallers. THE magistrates will issue licenses to retail spirituous liquors to the same number as were licensed last year. The licenses to be delivered on Saturday, the 19th instant.

The proportion of slops to be issued to the freemen and prisoners at public labour will be as follows, viz :—

	<i>To Overseers.</i>	<i>To Watchmen.</i>
Clothing for freemen.	A coat of blue cloth	One green or blue jacket
	Pantaloon of grey cloth	Two shirts
	Two shirts	One pair of shoes
	One pair of shoes	One pair of duck trowsers
	One pair of strip'd trowsers	One pair of breeches
	One hat, and	One hat
	One quarter of a pound of thread	One pair of stockings, and
		One quarter of a pound of thread
Clothing for prisoners.	<i>To Male Prisoners.</i>	<i>Female Prisoners at Flax-work.</i>
	One blue jacket	One jacket
	One shirt	One petticoat
	One p'r of duck or gurreh trowsers	One cap
	One pair of stockings	One shift
	One pair of breeches	One hat
	One pair of shoes	One pair of shoes
	One hat	One pair of stockings
	One worsted cap	

Purchasing clothing from prisoners and others. In case any person whatever purchases any article of the above slop clothing from those to whom they are issued, or by means of any agent, they will (according to orders repeated since the establishment of the colony) be prosecuted for receiving the King's stores, knowing them to be stolen, as every article of that kind remains the property of the Crown after it is issued.

PHILIP GIDLEY KING.

LORD PELHAM TO THE TRANSPORT BOARD.

15 Sept. Gentlemen, Whitehall, 15th September, 1801.
 Whalers as transports. It has occurred to me that the conveyance of transportable convicts to New South Wales might, to a certain degree at least, be provided for by means of the South Sea whalers, or some such other vessels belonging to His Majesty's subjects as are bound to Port Jackson, the owners of which I conceive would find it very much [to] their interest to receive on board such a number of them as they can conveniently dispose of.

Tenders to be called for. With this view, I am to desire that you will give due notice to the owners of all vessels of the above description to send into your board their tenders of the number of convicts they will engage to carry out, with their terms and the time when they shall be ready to receive them on board. The contracts for the services of the convicts sent out in each vessel may be made out as at present,

LIVE STOCK AND AGRICULTURE.

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and their services transferred on their arrival in the settlement each captain to the Governor in like manner as the same is now done in all cases where ships are taken up for the express purpose of conveying convicts to New South Wales.

You will, of course, communicate to me such tenders as you receive, in order that in all cases where they are approved of the number of convicts specified therein may be always in readiness to embark at the times required.*

I am, &c.,

PERHAM.

1801

15 Sept.

RETURN of Stock on Norfolk Island, the property of Government and individuals, also of Ground in Cultivation, the 16th September, 1801; population, 977.

16 Sept.

Live stock and cultivation at Norfolk Island.

To whom belonging.	Horned Cattle.		Horses.	Mares.	Asses.		Sheep.		Goats.		Swine.	Acres in Cultivation.	
	Male.	Female.			Male.	Female.	Male.	Female.	Male.	Female.		Wheat.	Maize.
Government	13	8	..	2	6	5	24	36	79	162	167	128	50
Acting-Lieut. Governor .. ..	..	..	1	..	..	..	5	..	..	..	..	..	..
Military and Naval .. ..	..	..	1	..	..	..	62	93	8	18	205	..	33½
Settlers, Landholders, Free Men, &c. .. ..	..	..	..	..	..	..	122	363	111	255	2,813	246	904
Total	13	8	2	2	6	5	213	492	198	435	3,185	374	987½

J. FOVEAUX.

GOVERNMENT AND GENERAL ORDER.

19 Sept.

19th September, 1801.

WHEREAS a coil of rope, the property of the Crown, has been stolen by some person or persons, either from the Government wharf or out of a boat in which it was to be conveyed to George's Bay, His Excellency the Governor is pleased to offer a reward of fifty pounds sterling, twenty gallons spirits, and an absolute manumission (if a prisoner) to any person who shall bring to conviction the offender or offenders before a Court of Criminal Jurisdiction; and if any accomplice shall discover and bring to justice his confederates, he will be in the same manner entitled to an absolute pardon and the above reward.

Petty
Larceny.

PHILIP GIDLEY KING.

*This proposal was not acted upon. See Shee's letter to the Transport Board, 25th September, 1801, post, p. 523.

1801

GOVERNMENT AND GENERAL ORDER.

20 Sept.

20th September, 1801.

Fustic.

It having been ascertained that a very fine kind of *Fustick* has been found at Hunter's River, no trees of that kind are to be cut down but by a written permission of the Governor.

Claims on Government

Every person who has public claims on the Governor or Commissary are to make them on the quarter day, i.e., the 30th instant, agreeable to the General Orders of the 14th July, as no attention will be paid to them after that date.

PHILIP GIDLEY KING.

DEPUTY COMMISSARY WILLIAMSON TO LORD HOBART.*

To the Right Hon'ble Lord Hobart, one of His Majesty's Principal Secretaries of State.

The memorial of James Williamson, Additional Deputy Commissary to the territory of New South Wales,—

Sheweth :—

Palmer on leave.

That Mr. John Palmer, Commissary of that settlement, having obtained leave to return to England on his private concerns, your memorialist was directed by Governor Hunter, on 1st Septem'r, 1796, to take the charge of the Commissariate in Mr. Palmer's absence, for which duty your memorialist was, by agreement, to receive one moiety of Mr. Palmer's salary.

Williamson acting as deputy.

Palmer's salary and allowance.

That in consequence of the great increase of business in the Commissariate, Mr. Palmer, during the time he was in England, applied for an augmentation of salary, which, in consequence of his representation, was increased from ten shillings to twenty shillings p'r day, with an allowance of £60 st'g each, or £120 st'g p'r annum, for two clerks.

Williamson claims a moiety,

That your memorialist humbly conceives he is entitled to a moiety of Mr. Palmer's additional salary, which he would have stipulated for and obtained as a matter of course had he known of Mr. Palmer's intention to make the application, particularly as this additional allowance was granted as a compensation for duties which your memorialist was then executing.

and asks that it be paid to the Agent for the colony.

He, therefore, trusts that your Lordship will give directions to the Agent of the colony to pay to your memorialist one moiety of Mr. Palmer's augmented salary from 10th October, 1797, to the 1st October, 1800, the day on which your memorialist delivered up the stores to Mr. Laycock, being then ordered Home on public service by His Excellency, Governor Hunter.

And as in duty bound, your memorialist will ever pray.

JAMES WILLIAMSON.

* This memorial is not dated. It may, however, be presumed that it was written by Williamson after his arrival in England.

EX-GOVERNOR HUNTER TO UNDER-SECRETARY KING.

1801

No. 17, Nottingham-place,

21st September, 1801.

21 Sept.

Sir,

Unwilling as I am to give His Grace the Duke of Portland any further trouble on the concerns of New South Wales, yet my duty to the situation of the Governor in that country, and the justice which I owe to those unhappy individuals who were the chief subject of my letter (No. 40, 21st Feb'y, 1799),* and who are still suffering under confinement, and the melancholy reflection their respective sentences, require that I should request a recurrence to that letter, as well as to No. 48,† relative to the barbarous murder of two native boys, in order that such directions may be sent out by the ships now going as from the nature the subject may appear necessary. The trials and other measures, which were forwarded with my letters, are very material, well to the wretched prisoners concerned as to the inhabitants that distant territory at large. The case of Isaac Nichols and the observations upon that trial merit particular notice. They will also show what, amongst other important matter which the investigation I in vain solicited whilst there were officers and their evidence from that colony on the spot would have demonstrated, viz., the existence of a party which stood in the way of all public service, and had even enter'd our courts of law; and it is not improbable it would have appear'd by such investigation what are the objects of such opposition, and of whom chiefly composed. I shall only observe upon this head that the last six weeks of my residence in the colony were wholly occupied in hearing and determining appeals from the decision of the civil court, so very discontented were the people on the subject of impartial justice.

Prisoners under sentence.

The case of Isaac Nichols.

Impeding the course of justice.

I must also desire a recurrence may be had to my letter mark'd "Separate," of the 10th June, 1799.‡ It is connected with the above trials, and incloses a letter to me from three members of that court, which decided on the fate of some of the prisoners here alluded to. I must continue, sir, to press the consideration of those letters, and that some notice be taken of their contents, otherwise the authority of a commander-in-chief in that remote country becomes nothing but a name; and as far as it concerns myself individually, it certainly reduces my consequence to almost no notice taken of my representations. It effects my character amongst a people who liv'd so long under my authority, and amongst whom I laboured to promote morality, virtue, and industry every means in my power. A neglect of those complaints serve to encourage every speculating or trafficking interest in that settlement, which it may be the Governor's duty to oppose or put

Hunter's correspondence.

His letters unanswered.

Encouragement to his opponents.

* Vol. III, p. 580 *et seq.*

† Ante, p. 1.

‡ Evidently an error; should be 30th April, 1799. See vol. III, p. 658, where Hunter writes to the Duke of Portland, enclosing the letter of the three members of the Court, and his reply.

1801
21 Sept.

a stop to, to take the liberty of corresponding with His Majesty's Ministers whenever the conduct of the Governor shall be found inconvenient to their private views and objects. Those, sir, are matters which must be got the better of, and I claim this attention as a justice due to my endeavours on that service, and a necessary consideration of my complaints.

The
authority of
the
Governor.

It is impossible, sir, that any authority at such a distance can continue in sufficient force, if complaints of so serious a nature are not attended to. Had the enquiry which I was desirous of having instituted been allow'd, I should with care have combatted the opinion "that the Governor's powers are sufficient to remove all those ruinous difficultys complained of." When they are only of a partial nature, it may be so; but when they are become so general as the disgracefull trade which I endeavour'd, by opposing, to put a stop to it, it will then be found less possible, without manifest danger to the public service. The remedy, therefore, is in the hands only of His Majesty's Minister, by a due attention to the Governor's representations, who is, of course, responsible for his charge and for the truth of what he represents.

I have, &c.,

JNO. HUNTER.

PETITION OF SAMUEL PELHAM HOPLEY.

To the Right Honorable the Lords of His Majesty's Most Honorable Privy Council.

397, Rotherhithe Wall, 21st September, 1801.

The humble petition of Samuel Pelham Hopley sheweth:—

A retired
officer

That your petitioner, a person of middle age, having had the honor to hold military commissions both in His Britannic Majesty's service and in that of the King of Prussia, but being now unprovided for and unemployed, and having an active turn of mind, is desirous to be permitted by your Lordships to proceed as a free settler to such of His Majesty's colonies in the South Seas as your Lordships may think proper.

Your petitioner is possessed of but little fortune, but he believes that he is endowed with perseverance, hardihood, and resolution, and such qualities as would render him a usefull subject in the colony, similar permissions having been, as your petitioner understands, granted to others.

desirous of
becoming a
settler.

Your petitioner humbly entreats that your Lordships will be pleased to order that he may be allowed to become a free settler in one of His Majesty's colonies at Port Jackson, Botany Bay, or elsewhere in the South Seas as your Lordships may think proper, and that he may be allowed, with his family, a passage in any ship destined to those places or in the South Seas.

And your petitioner will ever pray.

SAMUEL PELHAM HOPLEY.

INDIA GOVERNMENT OFFICIALS TO GOVERNOR KING. (King Papers.) 1801

Sir, Bombay Castle, 22nd September, 1801. 22 Sept.

1st. We have the honor to inform you that the Fly cruiser is despatched for the express purpose of conveying Mr. George Bridges Bellasis to New South Wales, in pursuance of the sentence passed upon him at a session of oyer and terminer and gaol delivery held here, as announced in the enclosed copy of a notification from the Hon'ble the Court of Recorder under the Presidency, bearing date the 23rd of that month. A prisoner from India.

2nd. The notification fully states the crime of which Mr. Bellasis has been adjudged guilty, and the number of years for which the punishment of transportation has been awarded. We have, therefore, only to request that after the commander of the Fly shall have delivered Mr. Bellasis to your charge, you will be pleased to instruct him to make the best of his way back to this Presidency.*

Yours, &c.,

J. DUNCAN.

J. CARNAL.

WM. PAGE.

GEORGE SHEE TO THE TRANSPORT BOARD.

Gentlemen, Whitehall, 25th September, 1801. 25 Sept.

I have had Lord Pelham's directions to acknowledge the receipt of your letter of the 19th instant.†

His Lordship acquiesces entirely in the opinion so clearly stated in that letter respecting the impropriety of employing South Sea whalers for the purpose of transporting convicts to New South Wales, not only from the uncertainty of that mode of transportation, but also additional expence with which it would be attended, and the risk which the convicts would be subject to of meeting with less humane treatment than they would experience in the established mode. Transportation by means of whaling vessels.

Under these circumstances His Lordship does not think it would be advisable that an experiment should be made of the mode of transportation in question, and he therefore desires that vessels fitted out as usual for the purpose may be employed in the service now required.‡

I am, &c.,

GEORGE SHEE.

* See the Government and General Order of 16th January, 1802. Mr. Bellasis was appointed an Officer of Artillery in the N.S.W. Corps soon after being landed in the colony, and received a free pardon on 5th June, 1803. For the circumstances of the crime for which he was convicted, see the letters and petitions of Captain Byne and residents of Calcutta, ante, p. 456 *et seq.* It is remarkable that Marcus Clark chose for one of his characters in "The Term of His Natural Life" that "remarkable scamp and dandy, Lord Bellasis."

† This letter is not available.

‡ See Lord Pelham to the Transport Board, 15th September, 1801, ante, 518.

1801

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

25th September, 1801.

25 Sept.

Paterson's
expedition
to Hunter
River.The effects of
Lieutenant
Crawford.Lieutenant
Marshall.

A challenge.

An assault.

Trial of
Lieutenant
Marshall.

BEING anxious to explore Hunter's River, I ordered the Lady Nelson for that service. Lieut't-Col'l Paterson offering to assist, and sensible how much the success of that expedition depended on his judgement, I accepted his offer; consequently the command devolved on Capt. McArthur. During the Col's short absence, the Cornwallis arrived with convicts and some soldiers. Lieut't Crawford, of the N.S. Wales Corps, having died* on the passage, Lieut't Marshall (agent), wishing to have a gun and quilt belonging to that officer in exchange for his own, very improperly substituted the one for the other. Capt'n McArthur interfered as commanding officer of the regiment, which produced an examination before a bench of magistrates, who would not take it upon themselves to say that Lieut. Marshall had any felonious intentions.† Lieut't Crawford's servant, on whose evidence any conviction rested, exculpated Lieut't Marshall from any improper motives. It also appeared that previous to Lieutenant Marshall's sending his own gun on shore, he informed the quarter-master of the regiment (who he thought was the proper officer) of the change he intended to make, as a small debt due from Crawford might ballance the difference in goodness. Notwithstanding these favourable appearances, I gave Lt. Marshall a severe reprimand for allowing any part of his conduct giving reason for suspicion. Here that affair rested. Some days after I informed Lt. Marshall I had taken his passage to England in the Albion, whaler, agreeable to the wish of the Transport Board. It appeared that soon after this information Lt. Marshall very improperly insulted Capt'n McArthur, who sent Capt'n Abbott with a challenge, which Lt. Marshall accepted, and chose for his second Mr. Jefferies, purser of the Earl Cornwallis, who Capt'n Abbott would not consider as his co-equal (altho' Mr. Jefferies has since been invited by Capt'n McArthur to his house in company with Capt'n Abbott). Lt. Marshall not choosing to get another, here this part of the business rested, which Capt'n McArthur, when it was over, came to my bedside, where I was confined by illness, and informed me of. It appeared that Lt. Marshall went to the ground and waited a considerable time. Next day he met Capt'n Abbott and struck him. He also signified the same intention towards Capt'n McArthur, who, being armed, prevented what was most certainly intended. On these circumstances being reported to me, I ordered Lt. Marshall to be tried by a Criminal Court, at the suit of the King, for an assault and battery on Capt'n Abbott and for an assault on Capt'n McArthur. The day after Col'l Paterson returned

* Lieutenant Crawford was drowned at Rio.

† The proceedings in this case are not available.

from the Coal River, which completed the Criminal Court as follows :—Col'l Paterson and four other officers of the Corps ; Lt. Grant, of the Navy ; and the Judge-Advocate. Lt. Marshall objecting to the competency of the Court, as well as to an individual member, both objections were over-ruled. On the evening of the second day Lt. Marshall sent me a memorial,* stating the grievances he laboured under by the proceedings of the court, and praying my interference. This I answered by pointing out the impropriety of my interfering until the trial ended and the proceedings were laid before me.† He was sentenced on the first indictment to pay a fine of £50 and imprisoned twelve months in the jail at Sydney. On the second indictment a special verdict was found, which, of course, referred that trial to the Secretary of State. On reading the proceedings, altho' I was satisfied that Lt. Marshall was highly culpable in his unwarrantable attack upon Capt'n Abbott, yet, for the sake of ample justice to all parties, I ordered the Judge-Advocate to reconvene the Court and lay before it Lieut't Marshall's allegations and to investigate them, not only to defend its own integrity, but to afford the most unequivocal justice to the prisoner, and to enable me to judge how far he was deserving of any part of the Royal mercy being extended towards him, or to expiate his full sentence. The members met, but refused attending to my directions and instantly dispersed. ‡

1801

25 Sept.

The sentence.

The Court re-convened.

Thus situated in experiencing the mortification of finding my authority publicly insulted and my legal orders disobeyed, I directed the Judge-Advocate to inform the members how much I felt for the consequences of their conduct in refusing to do themselves, the prosecutors, and the prisoner the justice of attending to my commands, and no other resource was left me than to lay the whole of their proceedings before the Secretary of State, and to pray His Majesty's most gracious support of the authority which he and the Legislature had been graciously pleased to invest the Gov'r of this colony with. This produced a letter§ from the five military members, requesting a copy of Lt Marshall's address and my letter to the Judge-Advocate to exonerate them of any improper conduct. This I declined,|| considering it unjust to furnish them (as a part only of the Court by which he was tried), with materials to confute his allegations in private and in his absence, when they might have done all parties the justice of investigating it, by my authority, with the assistance of the Judge-Advocate and the other member ¶ in public, and in the presence of the prisoner who considered himself agrieved. I received a reply

King's orders disregarded.

He reports to Home Office.

The military members of Court.

* See Marshall's memorial, dated 30th July, 1801—Enclosure No. 2, post p. 535.

† Enclosure No. 3, post, p. 537.

‡ See "Opinion of Court," 7th August, 1801—Enclosure No. 4, post, p. 537.

§ Officers to King, 11th August, 1801—Enclosure No. 9, post, p. 540.

|| See Enclosure No. 10, post, p. 540.

¶ The other member was Lieutenant Grant, of the Lady Nelson.

1801 from the same five members* (who took no notice of the impropriety of their addressing me on that subject without the Judge-Advocate and the other member), stating their reasons for not complying with my orders in terms which they ought not to have used, and declaring that this opinion was unanimous. Seeing the names of the Judge-Advocate and Lieut't Grant omitted in both these letters, I requested to be informed whether they had agreed to the reasons given for disobeying my directions respecting L't Marshall's memorial.† They answered that they were neither consulted nor unanimous. This answer I sent to the five officers, who replied by maintaining that the Judge-Advocate and L't Grant had concurred in the unanimity of their opinion, which they supported by five depositions.‡ The Judge-Advocate and L't Grant again denied their truth. On these manifest contradictions I decided in favour of neither; but, considering the order I had given a duty I owed the Court, the prosecutors, and the prisoner, and the few law books I possessed informing me "that the tenderness and humanity for which the English laws are so justly famous, in allowing prisoners to challenge the jurors even on insufficient causes," are generally admitted of; whereas, L't Marshall's complaint of his peremptory challenge of a juror being overruled, who, as he says, "showed a great degree of warmth" before the trial commenced—this, as well as L't Marshall's other allegations (whether true or not the Court prevented me from ascertaining), appeared to me very sufficient reasons for giving the order I did. And if the members had asked the Judge-Advocate his opinion (for which purpose he carried books to the Court) they would have known, "that in all cases of moment where justice is not done upon one trial, the injured party is entitled to another," &c.; and if there is truth in L't Marshall's allegations, he certainly was a most injured man. Nor could I (although very reluctantly) draw any other inference from this refusal than that his complaint was not altogether groundless. Feeling most sensibly, as I did and do still, for the public insult thus given to the King's authority, I saw no other alternative than submitting those proceedings to His Majesty's Secretary of State, and giving L't Marshall a conditional remission of his sentence§ to return to England, and there abide by such directions as might hereafter be given, both respecting the sentence and the special verdict, for the observance of which he entered into recognizances. My representation on this head was solely confined to a reference to the attested copy of those proceedings. In this stage of the business

25 Sept.
 Their refusal to obey King's order.
 Other members of the Court.
 Challenging a juror.
 The law of England.
 The proceedings sent Home.

* Officers to King, 17th August, 1801—Enclosure No. 11, post, p. 541.

† King to Atkins and Grant, 18th August, 1801—Enclosure No. 12, post, p. 543; and their answer, Enclosure No. 13, post, p. 543.

‡ See officers to King, 20th August, 1801—Enclosure No. 21, post, p. 550.

§ See this conditional remission—Enclosure No. 15, post, p. 544.

pt'n McArthur wrote me a letter * insinuating that he had eived my advice in most of the steps he had pursued. To refute s foul attempt, it is only necessary to refer to his letter, my ily, and his own corroborations.†

1801

25 Sept.

Captain
MacArthur
intervenee.

A few days after Col'l Paterson informed me that Capt'n :Arthur felt so much offended with him for not agreeing to thhold his visits to me, that he had threatened to divulge all air private and public conversations, correspondence, and trans- ions. Three days after it was rumoured by some of the officers hat the Colonel had written a letter to Sir Jos. Banks, lecting on my too great economy having occasioned the present rcity";‡ that Capt'n McArthur had corrected these remarks ; d, further, that a public letter had been written to General ownrigg, containing many harsh reflections against my public aduct in the late events.§ I immediately asked the Colonel for pies of those letters, in which it appeared my information is too true ; nor had I any pains to convince Col'l Paterson of e impropriety and unfounded tenor of these assertions and lections, which were so evidently indited by another person. freely and fully forgave Col'l Paterson for acting otherways in is dark transaction than as the instrument of one who had a ain point of resentment to obtain. An officer (the Adjutant) sooner heard that Col'l Paterson and myself intended to dine ethoder, than notice thereof was sent to Capt'n McArthur. is information and much other disapprobation arising in Capt'n :Arthur's mind respecting Col'l Paterson's not choosing to set : at defiance, occasioned (as it has since appeared) an exposure much private correspondence by Capt'n McArthur, very hurtful Col'l Paterson's feelings.

Paterson
and
MacArthur.MacArthur's
influence
over
Paterson.Paterson's
private
corres-
pondence.

Hearing that most of the officers of the Corps had resolved to oid any intercourse with me except on duty, and that they were itigated to that measure by Capt'n McArthur, conscious that cept it was the performance of my duty) I had done nothing offend them, either collectively or individually, I sent cards of ritation on the 13th September to celebrate the anniversary of Majesty's coronation, to every officer, civil and military, cept Capt'n McArthur. This I did with the view of reconciling ee who had been deceived and misled. I received the immediate uiescence of all except four, who were so uncivil as not to id me any answer until I sent for it on the morning of the th, when they all refused. I could no longer be in doubt who re and who were not the adherents of Capt'n McArthur.

The
Governor
and the
military
officers.MacArthur's
adherents.

See Captain MacArthur to Governor King, 18th August, 1801—Enclosure No. 16, post, 45.

See Enclosures Nos. 18 and 25, post, pp. 548 and 556.

See an extract from this letter, Enclosure No. 17, post, p. 547.

See this letter and King's marginal comments, ante, p. 507.

1081	Not having any idea of what was going forward, I left Sydney about one o'clock, the 14th September, on my way to the Hawkebury to arrange some public business. On arriving at Parramatta I learned that Col'l Paterson was wounded in a duel with Capt'n McArthur. I immediately returned to Sydney and instantly ordered the seconds, Capt'n McKellar, who carried the message, and Capt'n Piper, who was Capt'n McArthur's second, into a close arrest, and the following morning directed the Adjutant to conduct them to Government House, when I directed them to make out their respective reports, leaving them in a room with the Adjutant.*
25 Sept.	
The duel between Paterson and Macarthur.	
Paterson wounded.	As the surgeon had not then reported the nature and danger of Col'l Paterson's wound, and the colonial duty on which Capt'n McKellar was engaged, as having the principal charge in conducting the public works under my direction, not allowing of his being so suddenly removed and remaining under an arrest, I ordered him to be released, "but to consider himself answerable for any consequences that might happen to Col'l Paterson, and to consider himself subject to any censure that might occur from the representation that would be made of this event." Captain Piper's conduct in going out with an officer against their commanding officer, and against a man who had always acted towards him as a father and a friend, and departing so much from the rules of propriety (if I may so term it) as allowing Capt'n McArthur to load his own pistols, were circumstances that excited my most serious reprimand, and as he had then nothing to offer in reply I ordered him to return to his confinement, and prepare for being sent to England. Soon after the surgeons reported that Col'l Paterson's life was by no means out of danger. As some restraint on those officers who were concerned in this affair appeared necessary, until a more favourable report could be made, I conceived that by putting them into an arrest in their own houses would be more eligible than placing them in a common jail among the worst of felons. I therefore ordered Captains McArthur, Piper, and McKellar into arrest until the surgeons announced Col'l Paterson to be in a state of convalescence. On reflecting over these events, I too plainly saw that whatever provocation Col'l Paterson received by Capt'n McArthur's alledged conduct towards him, yet I could not but censure his calling an inferior officer out as being highly detrimental to His Majesty's service, nor was Capt'n McKellar's conduct less reprehensible in carrying the message. To have tried those four officers by a Court-Martial, admitting that Col'l Paterson recovers, would be (if that officer and Capt'n McKellar were removed from the duties of their situations, the first as Acting Lt.-Governor commanding the troops, and the second having the immediate direction of the public works) a great injury to His Majesty's service; therefore, situated as those two officers are, I considered myself justifiable in submitting this representation to
His second.	
Captain Macarthur's second.	
Arrest of the principals.	
Censure on Paterson.	
Paterson and his second.	

* See Enclosures Nos. 36 and 37, post, pp. 560 and 561.

His Majesty's most gracious consideration. It appeared highly necessary to separate Col'l Paterson and Capt'n McArthur for the preservation of the public peace as well as the tranquility of the regiment. I am well aware that the Order* I gave to that effect by relieving Capt'n McArthur from the command of the detachment at Parramatta to that of Norfolk Island, was not strictly conformable to the military routine of duty, yet the circumstances of the time and persons concern'd appeared to me a sufficient reason for so doing. As the surgeons did not see cause to give a favorable report on the 21st (when the eight days limited for a military arrest were expired), I judged it necessary to inform Col'l Paterson of my disapprobation of his conduct in calling an inferior officer out, when he might have had recourse to a General Court-Martial.† On receiving Col'l Paterson's answer, I saw the truth of the different reports I had heard of Capt'n McArthur's having had a very principal concern in all the events that had occurred, and that Col'l Paterson not joining him and some other officers of the Corps in treating me with disrespect (for what I must ever consider as discharging my bounden duty in the case of Lt. Marshall), had drawn down on the Colonel Capt'n McArthur's displeasure and revenge, which unfortunately produced this disagreeable event. As it was now necessary to release those officers from their arrest, the eight days being expired, and the surgeons not having given a favorable report of Col'l Patterson's convalescence, I directed, by General Orders of the 21st,‡ the release of those officers from their arrest, and notwithstanding the impropriety of admitting persons to bail situated as they were, yet the same reasons that operated with me in committing them to a military arrest rather than to the public jail, induced me to require security for their appearance in case Col'l Paterson dies in consequence of that wound, and also sureties for keeping the peace as long as they are in the territory and its dependencies.

In the interim between the arrest and the order for their liberation I received a letter from Capt'n McArthur,§ "informing me of his obeying the order of arrest, requiring to know the reasons for that arrest, and reminding me of Capt'n Edw'd Abbott having been previously ordered for the duty at Norfolk Island." This I answered by directing the Adjutant to refer Capt'n McArthur to the General Orders of the 15th. I also received letters from Capt'n Piper. To what end his explanations tend, why it was necessary Capt'n McArthur should load his own pistols, or the meaning of the singular certificate|| that accompanied that correspondence, I am

1801

25 Sept.

Macarthur
to be sent to
Norfolk
Island.King
censures
Paterson.The cause of
the quarrel.The princ-
pals
liberated
on bail.The relief
for Norfolk
Island.

* See Government and General Order of 15th September, 1801, post, p. 559. Macarthur did not go to Norfolk Island. He refused to quit the arrest, and was sent Home for trial.

† See Governor King to Lieut.-Colonel Paterson, Enclosure No. 49, post, p. 508, and Paterson's reply, Enclosure No. 60, post, p. 580.

‡ Enclosure No. 45, post, p. 506.

§ Enclosure No. 39, post, p. 561.

|| See the certificate of Ensigns Minchin, Moore, Brabyn, and Piper, Enclosure No. 38, post, p. 561.

1801 as much at a loss to guess as his reasons for the insinuation contained in his letter of the 21st, which I found it necessary to make him explain, as stated in the documents.*

In consequence of the Order of the 21st,† Col'l Paterson and Capt'n McKellar gave proper securities for keeping the peace. Capt'n Piper, who had come out of arrest, wrote‡ to the Judge-Advocate, requesting to be indulged 'till next day, until his sureties came, pledging his honor to observe the peace. The next morning I received information from a magistrate that a *rencontre* was apprehended between Captains Piper and McKellar, who were out of arrest, but the former had not given the stipulated security. I directed the Judge-Advocate to require Capt'n Piper to appear immediately and sign his own recognizance.§ The Judge-Advocate soon after brought me two letters, the one received from the Rev'd Mr. Marsden, magistrate at Parramatta, stating that "Capt'n McArthur had no objection to give bail for his appearance at a Criminal Court when called upon, but that he would give no bond to keep the peace until an information was lodged against him upon oath that he intended to break the peace" || and the other from Capt'n Piper, wrote in exactly the same words and terms of refusal as that of Capt'n McArthur's, from which he had evidently copied it.¶ Capt'n Piper having thus departed from the promise on which he was allowed to leave his arrest, I conceived it my duty, as Governor of the colony and conservator of the peace, to commit him to the jail until he discovered the violence he had done himself and the King's authority. He was committed at 4 o'clock in the afternoon, and at 10 that evening, on making a concession, was released and admitted to give his recognizances. The Adjutant deliver'd me a letter addressed to him by Capt'n McArthur,** signifying his refusal to quit the arrest he was placed in by the General Orders of the 15th,†† demanding to be tried by a General Court-Martial, offering to do duty under that arrest, contradicting the validity of Capt'n McKellar's report respecting the duel, and desiring to be furnished with a copy of that report.

Capt'n McArthur's refusing to come out of the arrest he was placed in until Col'l Paterson's life was out of danger, unless being tried by a Court-Martial, and his refusal to give securities for keeping the peace he had already been concerned in breaking, and which I have every satisfactory reason to be assured ~~was to~~ be broken again, were, in my opinion, sufficient reasons for committing him to the jail until he should think proper to give them.

* Enclosure No. 48, post, p. 567.

† Enclosure No. 45, post, p. 566.

‡ See Enclosure No. 47, post, p. 567.

§ Enclosure No. 50, post, p. 568.

|| Enclosure No. 55, post, p. 570.

¶ See Captain Piper's letter, Enclosure No. 51, post, p. 569.

** Enclosure No. 48, post, p. 567.

†† Enclosure No. 53, post, p. 569.

Sureties for
keeping the
peace.

Captain
Piper.

Captain
Macarthur.

Piper
committed
to gaol.

Macarthur
refuses to
leave his
arrest.

Prospect of
further
trouble.

security which, as the supreme magistrate here, it was my bounden duty to require for preserving the peace. However proper this measure would have been, yet the same reason that operated with me, as expressed in the Orders of the 21st,* still induced me to continue him in the arrest he had chosen to remain under. I saw no necessity for trying Capt'n McArthur by a Court-Martial for the consequences that might happen to Col'l Paterson, he being put under an arrest until the Colonel's life should be out of danger was what the public peace and common security required; and when the time limited for a military arrest expired I still saw the imperious necessity of binding the parties over to keep the peace. I have already stated that, from circumstances respecting the duel, I did not consider it consistent with the public service to try all those officers for that offence by a Court-Martial, but to represent it to His Majesty's Minister. Throughout the whole of this unfortunate event—nay, from the very first part of this statement—Capt'n McArthur's conduct appeared more than suspicious to me, in advising the officers during Lieut's Marshall's trials. His insinuating artful letter to me of the 18th August,† calculated entirely to serve political purposes; his endeavours to persuade the officers not to come near me but on points of duty; the evidence of his handwriting in correcting, and, perhaps, framing, Lieut's Col'l Paterson's remarks to Sir Jos. Banks "that my too great œconomy had occasioned the present scarcity";‡ and I make no doubt his having principally indited Col'l Paterson's letter to General Brownrigg (which I have fully answered by marginal notes since I obtained it),§ all which was done without my knowledge, until it became a public conversation after the Albion had sailed, evidently intended to reach my ears at a time when I could not answer the charges, and when it was notorious to every one that Captain McArthur had quarrelled with Colonel Paterson because he chose to pay me that attention which a friendship of ten years required, and would not join him and such other officers of the Corps as were of his party to treat me disrespectfully. These circumstances, and the accompanying documents, fully convinced me that Capt'n McArthur had throughout these events tried to effect a dissension between me and the second in command, which has greatly involved and retarded His Majesty's service by taking off my attention from those duties which require the constant attention of the Governor of this colony. To have tried Capt'n McArthur on that charge by a Court-Martial would neither have answered the ends of justice or restored confidence between the officers. As I must have given the order for holding

1801

25 Sept.

Keeping the peace.

Captain Macarthur's conduct.

He prompts Paterson,

and afterwards quarrels with him.

He impedes Government business.

* Enclosure No. 45, post, p. 566.

† Enclosure No. 16, post, p. 545.

‡ See Enclosure No. 17, post, p. 547.

§ This letter from Paterson to Brownrigg, and King's marginal notes, will be found on p. 507, ante.

- 1801**
25 Sept.
- Macarthur sent to England for trial.
- The charge against him.
- Marshall's trial.
- Attacks on King's character.
- The duel.
- King's subsequent conduct.
- A local trial impracticable.
- the General Court-Martial I could not with propriety prosecute, nor had I a person I could delegate, neither could I with propriety approve the sentence, being myself the prosecutor. Most of the members who must necessarily have sat on that trial were so far compromised in these disputes that they could not be considered impartial judges, exclusive of which the members must have been referred to as witnesses. Therefore, as Captain McArthur did not choose to quit his arrest unless tried by a General Court-Martial, nor to give the necessary securities for keeping the peace, I judged it necessary and indispensable for the tranquility of the colony and regiment to direct that officer to be sent to England in the arrest he continued himself under, there to answer for his conduct in the preceding transactions, and more particularly on the representations I have very reluctantly been obliged to make, viz, of his having endeavoured to create a dissension between me and Lieut't-Colonel Paterson, commanding His Majesty's troops in this territory and Acting Lieut't-Governor, whereby His Majesty's service has been much injured, the proofs of which are contained in the preceding paragraphs of this statement and its references.
- From all which I trust the following facts will appear:—
- 1st. That my conduct in and consequent on Lt. Marshall's trials was conformable to my oath of office, viz, "to administer justice duly and impartially."
- 2nd. That the attacks made on my public character, in the letters to General Brownrigg and Sir Jos. Banks,* would have remained unrefuted but that Lt.-Col'l Paterson, Commanding Officer of the N. S. Wales Corps, fell under the displeasure of Capt'n Jno. McArthur of the same Corps, because he (Lt.-Col'l Paterson) did not choose to follow his advice in treating me with disrespect.
- 3rd. That by Col'l Paterson and some other officers of the New South Wales Corps immediately rejecting Capt'n McArthur's proposals to treat me with disrespect, the colony was prevented from being involved in speedy ruin and confusion.
- 4th. That Col'l Paterson adhering to the line his duty pointed out, produced such treatment from Capt'n McArthur as provoked Col'l Paterson to seek for private redress.
- 5th. That my conduct since the duel between Col'l Paterson and Capt'n McArthur has been so indispensable from the existing circumstances as to render any other proceeding on my part inadmissible either in my civil or military capacity.
- 6th. That from the circumstances of the officers being so much involved in those events, recourse could not be had to the General Court-Martial demanded by Capt'n McArthur, nor could I try that officer for endeavoring to create dissension between me and the second in command, for the reasons stated.

* Ante p. 507, and Enclosure No. 17, post, p. 547.

7th. And should any further proofs be wanting of the restless and turbulent conduct of Capt'n Jno. McArthur, beyond what are contained in the preceding statement and proofs, I must require that the evidence of the late Governors Philip and Hunter may be procured, which, with many documents now in the Secretary of State's office, will fully prove that this conduct of Capt'n McArthur's has not been confined to the present moment.

1801

25 Sept.

Captain
MacArthur's
turbulent
disposition.

8th. Nor can I pass over unnoticed the improper conduct of Capt'n John Piper of the N.S.W. Corps (to whom I had given the local rank of captain), which will fully appear in the letters written by him to me, and the singular certificate accompanying them. This breaking his word of honor, which caused his being imprisoned in the jail until he gave his securities for keeping the peace, I shall make no other comment on than submitting that circumstance as well as the whole of this representation to the high authority it is most humbly and respectfully referred to.

Captain
Piper.

Since closing the preceding representation, this colony has nearly been thrown into a ferment by a cause which would have been attended with very unpleasant consequences if it had not been so critically prevented, and in which every blame attaches to Capt'n McArthur, who well knew that no spirits could be removed from one house to another without a permit; and what his reasons were for giving a detachment of soldiers who had formerly been under his command a treat of that kind, in his situation—under an arrest—without the Commanding Officer of the regiment's knowledge, or that of the officer commanding the detachment, appears equally obvious with the rest of his conduct.*

Distribution
of spirits.

PHILIP GIDLEY KING.

[Enclosure, No. 1.]

LIEUTENANT MARSHALL'S TRIAL.—ABRIDGEMENT OF PROCEEDINGS.

On the 29th day of July, 1801, Lieut't Marshall, of the Royal Navy, was brought before the Court of Criminal Judicature for an assault and battery on Capt'n Abbott, of the New South Wales Corps, by striking him violently in the street with a stick, on the 23rd July. Lieut't Marshall objecting to the competency of the Court, as well as to an individual member, the Court was cleared, when both objections were overuled. Lieut't Marshall pleaded not guilty. Capt'n Abbott opened the prosecution by a few preliminary observations and called James Tennant, Esq're, commander of the Earl Cornwallis, whose evidence clearly proved the assault, as stated in the indictment, and that it was highly aggravated by Capt'n Abbott's being unarmed, and not having given Lieut. Marshall any cause of offence. James Tennant, on

Trial of
Marshall.

The
evidence.

* See Lieutenant Hobby to Governor King, 5th October, 1801, Enclosure No. 70, post, p. 581, and Enclosures Nos. 71 and 72, post, pp. 581 and 582.

- 1801** being cross-questioned by Lieut't Marshall, says, that neither himself or any of the bystanders (as he supposes) could imagine it was Lieut't Marshall's intention to murder Capt'n Abbott.
- 25 Sept.** W'm Tonks, a private in the New South Wales Corps, proves that he was centry at the Commanding Officer's door; saw no blow struck, but by the order of Adj't Minchen he interfered, and desired Lieut't Marshall to go away, which he did; that Capt'n Abbott was not armed; that on his going between Capt'n Abbott and Lieut't Marshall, Lieut't Marshall neither reached over him, or attempted to strike Capt'n Abbott.
- A private soldier.**
- Lieut't Hobby says that on Lieut't Marshall seeing Capt'n Abbott, he suddenly altered the direction he was going; came up to Capt'n Abbott, and struck him with a large stick, and that he heard the blow at a considerable distance; that Capt'n Abbott told Lieut't Marshall he would have no conversation with him, on which Lieut't Marshall called him "a damn'd scoundrel," and says he thinks it was Lieut't Marshall's intention to have struck Capt'n Abbott a second time.
- Lieutenant Hobby.**
- Adj't Minchen says that Lieut't Marshall passed him with a large bludgeon in his hand, and walked towards Capt'n Abbott, who said to Lieut't Marshall that he would have nothing to say or do with him, and endeavoured to pass Lieut't Marshall, who then struck him and attempted to repeat his blow, but was prevented by his ordering the centry, Tonks, to go to Capt'n Abbott's assistance; says that Capt'n Abbott was not armed; neither did he in any manner, by words or jestures, give Lieut't Marshall cause to strike him.
- Adjutant Minchin.**
- John Harris, Esq're, surgeon of the New South Wales Corps, says that on the 27th July he examined Capt'n Abbott's side; it was much discoloured; and that he is of opinion the blow which caused it must have been given with some considerable degree of violence, but no alarming symptoms were likely to ensue.
- Surgeon Harris.**
- The evidence on the part of the Crown here closed.
- Capt'n Abbott addressed the Court in a few words and finished the prosecution. Lieut't Marshall entered into no regular defence, but protested against the proceedings of the Court as illegal, his objection to one of the members having been overuled.
- Sentence.** *Sentence.*—To pay a fine of £50 to the King, and to be confined in the county jail for twelve calendar months.
- Lieut't Marshall was a second time brought before the same Court, for an assault on Capt'n McArthur, of the New South Wales Corps, Lieut't Marshall again objecting to the competency of the Court and against two of the members. Both objections were overuled.
- The assault on Macarthur.**
- Capt'n McArthur opened the prosecution by reading a paper part of which Lieut't Marshall objected to, as tending to prejudice
- The evidence.**

he Court and audience. The Court directed Capt'n McArthur to proceed, but to avoid any expressions that might operate to that effect. 1801
25 Sept.

James Tennant, Esq're, stated a conversation that had passed between himself, Capt'n McArthur, and Lieut't Marshall, respecting the effects of Lieut't Crawford, who died on his passage to his country; but in no manner proved any assault on Capt'n McArthur by Lieut't Marshall. Captain Tennant.

Capt'n Abbott's very long evidence respect[ing] what passed between Capt'n McArthur and Lieutenant Marshall on the subject of Lieut't Crawford's effects, together with several conversations and letters that had taken place between himself and Lieut't Marshall, in consequence of a challenge sent to Lieut't Marshall by Capt'n McArthur, of which he was the bearer, but had no tendency to prove Lieut't Marshall's assault on Capt'n McArthur. Captain Abbott.

Adj't Minchen's evidence tends to prove that on the 23rd July he saw Lieut't Marshall advance within five or six paces of Capt'n McArthur and raise his stick on his shoulder, which, together with his appearance, led him to imagine he intended to give Capt'n McArthur a severe blow; that he saw Capt'n McArthur draw his sword, telling Lieut't Marshall at the same time that if he advanced he would run him through the body; that Lieut't Marshall made use of very abusive language to Capt'n McArthur, who gave him in charge to the centry, and that he, himself, ordered him to the guard-house; that this happened at the end of the Commanding Officer's house, and on the King's highway. Adjutant Minchen.

Lieut't Hobby's evidence confirming Adj. Minchen so far as that he saw Lieut't Marshall advance hastily towards Capt'n McArthur, apparently with an intent to strike him; that Capt'n McArthur drew his sword, and told Lieut't Marshall that if he offered any violence he would run him through the body; and that Lieut't Marshall was escorted to the guard-house by a file of men. Lieut't Hobby declares this happened on the parade. Lieutenant Hobby.

The evidence of Mr. Campbell, commanding the Harington brig, likewise confirms that of Adj. Minchen in every particular, and differs only with Lieut't Hobby's as to the place where it happened, for he declares it passed on the King's highway. Captain Campbell.

A special verdict was given.

Extracted from the proceedings of the Criminal Court, this 10th day of Sept'r, 1801.

RICHARD ATKINS,
Judge-Advocate,

[Enclosure No. 2.]

LIEUTENANT MARSHALL'S MEMORIAL TO GOVERNOR KING.

Sydney, 30th July, 1801.

THE address of Lieut't James Marshall, of His Majesty's Royal Navy, most respectfully states to your Excellency, as the representative Marshall appeals to King.

- 1801 of his Sovereign, and as the protecting father of a people committed to your charge, a series of grievances which he at present labours under the weight of, fully confident that your Excellency's firm propensity to the exercise of justice will on this occasion be ready to afford a long, an honorable, and an approved servant of his country that redress which his case so peculiarly requires.
- 25 Sept.
- The prosecution. Without troubling your Excellency with a retrospective statement of the singular circumstances which have involved Lieut. Marshall in this prosecution, without animadverting on the conduct of a military officer who now comes forward to lead a prosecution, after having been the bearer of a challenge to him, Lieut. Marshall will merely confine his complaint to the events of yesterday, and he cannot help, at this moment, feeling particularly grateful to Divine Providence for affording him this short interval to look up to your Excellency graciously to interpose your high authority to shelter him from the impending effects of dangerous prejudice and a powerful combination.
- The right of challenge. Lieut. Marshall, at the sitting of the Court yesterday, respectfully enquired if he might challenge any individual member. He was asked his reasons; ignorant of the law in this respect, and unaided by professional abilities, he assigned his reason, and it was overruled. He has since understood that the meanest prisoner at an English Bar has a right to challenge his jurors, without being required or expected to give any reason for his objections.
- And unless some privilege of this kind was, under certain circumstances, sometimes allowed a prisoner, he might look round him in vain for Judges—the Court that he stands before might be all his accusers.
- The plea. Lieut. Marshall was officially directed by the Judge-Advocate to plead, and when, from the impulse of the moment, he was induced to ask a question or two, he was interrupted by some of the members of the Court, and haughtily and angrily told not to insult them. It could scarcely be to Lieut. Marshall's interest to offend or insult them.
- Conduct of the trial. Lieut. Marshall further complains of undue influence endeavoured to be made use of against him by repeated whispers between the prosecutor and the evidence, a circumstance which, to the honor of the British law, is unknown in the annals of a Court of justice.
- A prejudiced Court. And when he adverts to the prejudice of which he has so much reason to complain, it need only be remembered what was the question the prosecutor yesterday put to Lieut. Hobby, and that gentleman's answer, which afterwards, at the recommendation of the Court, was withdrawn.
- In addition to which Lieut. Marshall has since been informed by persons on whose veracity he can rely, that two of the members

of the Court and two of the principal evidence, a few days previous to the trial, publicly made use of the most gross and opprobrious language towards him, manifestly resulting from that prejudice by which they were then, and are to this hour, inflamed and controlled. 1801
25 Sept.
Biased
jurors.

Lieut. Marshall further remarks that he believes it a novel practice in a Court of justice for one of the members to interrupt the prosecutor in his questions by introducing others of his own, and forcing a construction on the replies, insomuch that one of the members observed to the other that he hoped he was not putting those questions from any other motive than information. Leading
questions.

Lieut. Marshall therefore hopes, if these circumstances can be established by any further proof your Excellency may think necessary, that your Excellency will interpose to grant him such relief as the circumstances of his case at this crisis require.

JAMES MARSHALL.

[Enclosure No. 3.]

SECRETARY CHAPMAN TO LIEUTENANT MARSHALL.

Sir, Sydney, 30th July, 5 p.m.

The Governor has just received your letter of this date, and directs me to acquaint you that as your trial is still pending any interference of his would be highly improper, until the trial is closed and the proceedings laid before him. King's reply.

I am, &c.,

W. N. CHAPMAN.

[Enclosure No. 4.]

OPINION OF COURT.

7th August, 1801.

THE Court of Criminal Judicature having met in consequence of the Judge-Advocate's letter directed to the members, and the Judge-Advocate having read to them His Excellency's letter to the Judge-Advocate,* Lieut. Marshall's address to His Excellency, together with his answer, are of opinion that, having already given a sentence on the prosecution of Capt'n Abbott against Lieut. Marshall for an assault and battery, under which sentence Lieut. Marshall is now suffering, they do not conceive themselves competent to take Lieut. Marshall's address into their consideration, or take a retrospective view of any part of the proceedings on that trial. The Court
refuses to
re-open the
case.

By order of the Court,

RICH'D ATKINS,

Judge-Advocate.

[Enclosure No. 5.]

W. N. CHAPMAN TO MEMBERS OF COURT.

Sir, Sydney, 7th August, 1801.

I am directed by the Governor to inform you that he has received your report made by order of the Criminal Court, stating King's reply.

* This letter is not available.

1801 that "the Court of Criminal Judicature having met in consequence of the Judge-Advocate's letter directed to the members, and the Judge-Advocate having read to them Lieut. Marshall's address to his Excellency, together with his answer, are of opinion that having already given a sentence on the prosecution of Capt'n Abbott ag't Lieut. Marshall for an assault and battery, under which sentence Lieut. Marshall is now suffering, they do not conceive themselves competent to take Lieut. Marshall's address into their consideration, or take a retrospective view of any part of the proceedings on that trial."

The papers
to be sent
Home.

I am farther directed by the Governor to inform you that an attested copy of the above report, with the whole of the proceedings connected with Lieut. Marshall's trials before the Court, of which you was a member, will be transmitted to His Majesty's Principal Secretary of State for the Home Department, for His Majesty's most gracious consideration.

I have, &c.,
W. N. CHAPMAN,
Sec'y.

[Enclosure No. 6.]

GOVERNOR KING TO THE JUDGE-ADVOCATE.

Government House, Sydney,
7th August, 1801.

Sir,

Circular to
magistrates.

The inclosure is the copy of a circular letter written by my directions in consequence of your report* to me of this date, in which the Criminal Court that tried Lieut. Marshall refused to obey my directions to investigate into the truth of Lieut. Marshall's allegations, complaining of various illegal and informal proceedings of that Court, which, if proved, would have guided me in extending that mercy His Majesty has been graciously pleased to delegate to the Governor of this territory; and if not proved, must have operated greatly in continuing Lieut. Marshall's punishment, as sentenced by the Court, to its utmost extent.

Proceedings
at trial to be
sent Home.

You will, sir, as the presiding member of that Court, in your capacity of Judge-Advocate, prepare a just and faithful transcript of the proceedings and every other document connected with those trials, and after being compared with the originals and properly attested, you will deliver them to me to transmit them to His Majesty's Principal Secretary of State for the Home Department, for His Majesty's most gracious consideration, and such directions as may be given respecting the special verdict found by the Court on the second indictment at the prosecution of Capt'n John McArthur.

Disobedi-
ence of
orders.

You will also inform the members of the Court that, feeling most sensibly the injury done to His Majesty's authority by the public insult given by that Court to my legal commands, in execution

* Enclosure No. 4, p. 557.

of my bounden duty as Governor of this colony, by their refusing to obey my commands as before stated, it becomes my indispensable duty to pray His Majesty's most gracious support of the authority which he and the Legislature has been pleased to invest the Governor of this territory with.

1901

25 Sept.

I have, &c.,
PHILIP GIDLEY KING.

[Enclosure No. 7.]

GOVERNOR KING TO THE MAGISTRATES.

Gentlemen,

Sydney, 10th August, 1801.

I have to request you will meet this day at 2 o'clock, and cause Lieut. James Marshall, now a prisoner in the county gaol, as sentenced by the last Court of Criminal Judicature, to be brought before you, and put the following question to him in open Court, viz. :—

Lieut. Marshall to be examined.

Having at the commencement of your trial, on the prosecution of Capt'n Edw'd Abbott, objected to the competency of the Criminal Court (as established by His Majesty's Letters Patent) to try you, and having by a paper given in at the close of that trial, and also at the close of your trial on the prosecution of Capt'n McArthur, protested against the judicial proceedings of that Court as informal and irregular, you are called on, by order of the Governor, to declare before this Bench of Magistrates whether that protest alludes to your first objection, viz., the incompetency of the Court to try you, or to the allegations contained in your address to the Governor on the first day of your trial, June 29th, or whether your protest was founded on both those objections?

Questions to be put to him.

Having put this question and received Lieut. Marshall's answer, you will transmit it to me from under your hands, and remand the prisoner to his imprisonment.

I have, &c.,
PHILIP GIDLEY KING.

[Enclosure No. 8.]

REPORT OF MAGISTRATES.

Present :—The Judge-Advocate ; William Balmain, Esq. ; the Rev'd Mr. Marsden ; John Harris, Esq.

Meeting of magistrates.

Lieut. Marshall having been brought before the Bench by the Provost-Marshal, the following question was read to him by the Judge-Advocate :—

“ Having at the commencement of your trial, on the prosecution of Capt'n. Edw'd. Abbott, objected to the competency of the Criminal Court (as established by His Majesty's Letters Patent) to try you, and having by a paper given in at the close of that trial,

Questions put to Lieut. Marshall.

1801
25 Sept.

Lieutenant
Marshall's
reply.

and also at the close of your trial on the prosecution of Capt. McArthur 'protested against the judicial proceedings of that Court as informal and irregular,' you are called on, by order of the Governor, to declare before this Bench of Magistrates whether that protest alludes to your first objection, viz., the competency of the Court to try you, or to the allegation contained in your address to the Governor on the first day of your trial, June 29th, or whether your protest was founded on both those objections?'

The question having been read in open Court by the Judge-Advocate, Lieut. Marshall, in answer thereto, says that he did not object to the competency of the Court, nor had he ever any intention so to do, for that it was only asked as a matter of opinion; but that the grounds of his protest was founded on his objection to one of the members of the Court, Captain McKellar, and the proceedings of the Court, as set forth in his memorial to His Excellency.

RICHARD ATKINS.
W. BALMAIN.

SAML. MARSDEN.
JOHN HARRIS.

[Enclosure No. 9.]

OFFICERS TO GOVERNOR KING.

The military
officers and
Governor
King.

Sir,

Sydney, 11th August, 1801.

A letter* from your Excellency having been communicated to us by Mr. Atkins, charging us with disobedience of your commands by not proceeding to investigate certain assertions contained in Lieut. Marshall's memorial to your Excellency, satisfied you will afford us every opportunity of exonerating ourselves, we have respectfully to request you will be pleased to direct us to be furnished with a copy of your Excellency's letter and Lieut. Marshall's memorial, by which we hope to convince you that we have not disobeyed your orders, and to controvert the assertions contained in that memorial for your satisfaction as well as in our own justification.

We have, &c.,

W. PATERSON.
JOHN PIPER.
N. MACKELLAR.

THOS. DAVIES.
HUGH PIPER.

[Enclosure No. 10.]

GOVERNOR KING TO OFFICERS.

Gentlemen,

Sydney, 11th August, 1801.

The officers
a part only
of Court.

In answer to yours of this date, observing that you only form a part of the members of the late Criminal Court, I must inform you that any application respecting its proceedings should have come from the Court before its dissolution, which took place in consequence of my circular letter of the 7th inst. to each and all the members thereof, as well as to the Judge-Advocate, to

* Enclosure No. 6, ante, p. 538.

hom, as presiding member of that Court, I assigned my reasons for the necessity of the measure I found myself compelled to adopt on that Court's refusing to attend to my legal commands, communicated by him to the Court he convened on the 7th inst., by my Order of the 5th inst., which proceeding excludes any further reference as inadmissible and extra-judicial for the present, until His Majesty's pleasure is received or signified thereon.

1801

25 Sept.

Respecting my directing you to be furnished with a copy of my letter and Lieut. Marshall's memorial, neither justice or equity can sanction my furnishing you, as a part of the members of the late Criminal Court, with materials to refute the prisoner's allegations (whether true or false, the Court has deprived me of the means of ascertaining) in his absence and unheard; when that Court, convened by my legal authority, publicly refused, in the face of the prisoner and the colony, to take any notice of his allegations, complaining to me, as the executive authority, of the Court's informal and irregular proceedings on his trial, for which purpose (I must repeat) that Court was re-convened by my mandate, in conformity to my oath of office as Governor of this colony, viz., "to administer justice duly and truly."

King refuses
to recognise
them as a
Court.

The whole of the proceedings and documents appertaining to those trials are now transcribing to be transmitted to the Secretary of State for His Majesty's most gracious consideration thereon. When complete, the Judge-Advocate has my directions to compare the copy with the original in the presence of such of the parties concerned as may chuse to attend and see them properly attested.

The documents to be
sent Home.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 11.]

OFFICERS TO GOVERNOR KING.

Sir,

Sydney, 17th August, 1801.

Your Excellency having been pleased to refuse us a copy of Lieut. James Marshall's memorial, and of the letter which you caused to be read by the Judge-Advocate on Saturday, the 8th inst., wherein you were pleased to signify, in words to this effect, that our Excellency was determined to prefer a complaint against the Criminal Court, of which we were members, before His Majesty's Secretary of State, for having publicly insulted your legal commands, and directly disobeyed your orders by refusing to proceed to the investigation of certain allegations contained in the memorial of Lieut. Marshall, and to examine evidence thereon, the whole being produced as proofs that the Criminal Court had acted unjustly and injuriously towards the said Lieut. Marshall.

The officers
reply to
King.

We, the undersigned, think it, therefore, necessary, in our own justification, to acquaint your Excellency that the Criminal Court,

The Court
unanimous.

1801 composed of the Judge-Advocate, Lieut. Jas. Grant, of the Royal Navy, and ourselves, were *unanimously* of opinion that it was impossible, without acting contrary to law, to comply with the order of your Excellency Our reasons for thus thinking were,—

25 Sept.
Reasons for
not re-open-
ing case.

Because we, with great patience, waited to hear all the evidence Lieut. Marshall might think proper to produce at his trial, and because we had granted him the, perhaps, unprecedented indulgence of two days to prepare his defence.

Leniency to
prisoner.

Impartiality
of Court.

Because we had dispassionately and impartially found him guilty of the offence with which he was charged, and publicly pronounced sentence upon him for the perpetration of a wanton, unprovoked, and barbarous attack upon an unarmed man.

New evi-
dence inad-
missible.

Because we, therefore, could not proceed to a farther investigation of the same subject, or to the examination of new evidence relative thereto, without being guilty of a manifest injustice to the prosecutor, and without exposing the laws and the Royal authority under which we were assembled to great contempt and indignity.

The estab-
lished law of
England.

Because we could not obey your Excellency's order to examine new evidence and proceed to a further investigation on that trial without a glaring departure from what we understood to be the invariable practice of every Court of law in the British dominions, and without a direct and absolute violation of the solemn oath by which we had bound ourselves to administer *Justice* according to the established laws of our country.

Papers to be
sent Home.

We have therefore humbly to request that your Excellency will be pleased to allow this letter to accompany your complaint to His Majesty's Secretary of State, that the reasons which have governed us may be at the same time seen, and that it may be known that we have not treated your legal commands with insult, or directly disobeyed any order that it was possible to obey without drawing down dishonor upon ourselves.

Officers
court an
inquiry.

And, here, we consider it not improper to declare that if your Excellency thinks there is any reason to believe, or if there be any one who will dare to maintain that we, or any of us, have been actuated by partial, unjust, or corrupt motives, in passing the sentence (which we joined with the other members of the Court to do), we shall feel the highest satisfaction if we be allowed an opportunity to justify our conduct before a Court competent to investigate so serious and important a charge, and possessing powers to decide thereon, either by punishment or acquittal.

We have, &c.,

W. PATERSON.

THOS. DAVIE.

JOHN PIPER.

HUGH PIPER.

N. MACKELLAR.

[Enclosure No. 12.]

1801

GOVERNOR KING TO THE JUDGE-ADVOCATE AND LIEUTENANT GRANT.

25 Sept.

Gentlemen,

Sydney, 18th August, 1801.

With this you have a letter sent to me from five of the members of the late Criminal Court, in which, as well as in a former letter to me of the 11th instant, your names, as Judge-Advocate and one of the members, do not appear. I have to request you will take the trouble to inform me whether you agree to the contents of the inclosed letter respecting the unanimity of the Court and the reasons therein given for refusing to comply with my directions respecting Lieut. Marshall's memorial.

The Court's decision.

I am, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 13.]

JUDGE-ADVOCATE ATKINS AND LIEUTENANT GRANT TO GOVERNOR KING.

18th August, 1801.

WE are just favoured with your Excellency's letter of this day's date, enclosing another* signed by Lieut.-Col. Paterson, Captains Piper and Mackellar, Lieut. Davis, and Ensign Piper (forming a part of the members composing the Criminal Court that sat on the trial of Lieut. Marshall, and which had been ordered by your Excellency's letter to the Judge-Advocate to be convened for the purpose of investigating into the truth of certain assertions contained in the address of Lieut. Marshall to your Excellency, bearing date the 30th July), in which letter it is mentioned that "the members of the said Court were *unanimously* of opinion that it was impossible, without acting contrary to law, to comply with the order of your Excellency." We feel concerned that any doubts should have arisen between us and those gentlemen, but for our own justification we beg leave to declare that they misunderstood us, for that no opinion was given by us. And we must further observe that it appears rather extraordinary that, had we coincided with those gentlemen, our opinions and signatures had not been asked on the letter directed to your Excellency by them. We must further trespass on your Excellency's time to request you will look at the sentence as passed on Lieut. Marshall for an assault on Capt'n Abbott in which the word *unanimous* is there stated, and had it been the case in this instance it would likewise have been inserted.

Lieutenant Marshall's veracity.

A misunderstanding.

We have, &c.,

RD. ATKINS, J.-A.

JAS. GRANT.

We must further observe that our opinion or signature were not asked on the letter enclosed to us from your Excellency.

RD. ATKINS, J.-A.

JAS. GRANT.

* Enclosure No. 11, ante, p. 541.

1801

[Enclosure No. 14.]

GOVERNOR KING TO OFFICERS,

25 Sept.

Gentlemen,

18th August, 1801.

An unofficial
letter.

Your letter dated the 17th inst. I received only this morning, and observing in that, as well as yours of the 11th inst., that it does not come from you as the late Criminal Court, but as a part of the members thereof, without the signature of the presiding member, the Judge-Advocate, and Lieut. Grant, I have judged it necessary to submit your letter of yesterday to those gentlemen, as you will observe by the enclosed attested copies of my letter to them, and their answer to me, which answers some part of your letter of yesterday.*

By referring to my answer to yours of the 11th you will observe my reasons for declining furnishing you with the papers you required.

I have no objection to your letter of yesterday, with this and its enclosure, being transmitted with the proceedings and other documents.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 15.]

THE TRIAL OF LIEUTENANT MARSHALL.

Governor's
power to
pardon.

WHEREAS His Most Excellent Majesty King George the Third, by his Royal Letters Patent,† under his Royal Sign-manual, bearing date the 2nd day of April, in the twenty-seventh year of His Majesty's reign, hath been graciously pleased to give and grant to the Governor (or in case of his death or absence the Lieutenant-Governor) for the time being of His Majesty's territory of New South Wales and the islands thereunto adjacent, "full power and authority, where he shall see cause or shall judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto His Majesty, fit objects for his Royal mercy, to pardon all such offenders, and to remit all such offences, fines, and forfeitures, treason and wilful murder only excepted, in which cases he shall likewise have power, upon extraordinary occasions, to grant reprieves to the offenders until, and to the intent, His Majesty's Royal pleasure may be known therein.

The trial of
Lieutenant
Marshall.

By virtue of such power and authority vested in me as aforesaid, I, Philip Gidley King, Esquire, Captain-General and Governor-in-Chief in and over the said territory of New South Wales and its dependencies, taking into consideration the attending and consequent circumstances on the two trials of James Marshall, Esquire, Lieutenant of the Royal Navy, before a Court of Criminal Judicature, i.e., the King against the said James Marshall, Esq're, for an assault and battery on Edward Abbott, Esq're, and for an

* See Enclosures Nos. 12 and 13 *supra*.

† Vol. 1, part 2, p. 63. The same clause was repeated in Commissions of other Governors.

ult on John McArthur, Esq're, captains in the New South
 es Corps, whereby he was sentenced on the first indictment,
 for the assault and battery on Captain Edward Abbott, to
 the fine of £50 to the King and to be imprisoned twelve
 ndar months in the county jail, and a special verdict being
 id on the second indictment for the assault on Captain John
 Arthur: I do hereby conditionally remit the said sentence
 ed on the said Lieut. James Marshall, i.e., £50 to the King
 one year's imprisonment in the county jail: Provided always
 on condition that he, the said Lieutenant James Marshall,
 arks on board the Albion, south whaler, about to sail for
 land, in two days from the date hereof (giving security for
 peaceable behaviour until that ship is out of the limits of this
 itory), and entering into recognisances, himself in the sum of
 hundred pounds sterling, and two sureties, one of whom to
 esident in this colony, in the sum of two hundred and fifty
 nds sterling each, to surrender himself to His Majesty's
 icipal Secretary of State for the Home Department, or to such
 er as may be appointed to take charge of him, the said Lieut.
 es Marshall, within fourteen days after his arrival in that
 of Great Britain called England, to abide by His Majesty's
 al pleasure being signified on the proceedings and documents
 nding the two trials, sentence, and special verdict as before
 ed, and transmitted by the Albion, south whaler, otherwise
 said Lieut. James Marshall and his sureties to forfeit their
 gnisances and payment of the fine of £50 to the King, and
 term of imprisonment (in any jail in England that His
 esty's Principal Secretary of State may appoint) to be in full
 e and effect as if this permission had never been granted.

Given under my hand, at Government House, Sydney, in
 New South Wales, this 18th day of August, 1801.

1801

25 Sept.

The sentence.

A con-
ditional
remission.Recog-
nizances.Marshall to
surrender
himself in
England.

PHILIP GIDLEY KING.

[Enclosure No. 16.]

CAPTAIN MACARTHUR TO GOVERNOR KING.

ir,
 Parramatta, 18th August, 1801.

On the 4th inst. I wrote to the Judge-Advocate of the
 ny to request a copy of the trial of Lieut. James Marshall on
 prosecution against him for an assault, and on the 6th I
 ived for answer that your Excellency had directed copies of
 proceedings of the Criminal Court on Capt. Abbott's affair
 mine to be transmitted to His Majesty's Secretary of State
 the Home Department, and that when they were ready they
 ld be publicly read at the Judge-Advocate's office, when a copy
 e extracts from your Excellency's letter to the Secretary of
 e relative to the transmission of the proceedings would be
 erved to me to make what use of I might think proper.

Macarthur
v. Marshall.

1801
25 Sept.
An omission.

In consequence of this information and a particular notification from the Judge-Advocate, I yesterday attended at his office, when I heard the trials read, and very attentively remarked the reference which was made on my prosecution, but I heard nothing of the promised extracts from your Excellency's letter to the Secretary of State.

Macarthur's position.

This circumstance, with the consequences which have directly arisen from my prosecution of Lieut. Marshall, and the event which has succeeded it, impresses me with a strong conviction that the most extreme caution and circumspection will be necessary on my part to prevent my conduct being misunderstood, and to secure it from the effect of misrepresentation.

King's approbation of Macarthur's conduct.

I shall therefore beg leave to remind your Excellency that from the day when the report was first circulated that Lieut. Marshall had improperly appropriated to his own use a part of the effects of the late Lieut. Crawford to the time when he was bro't before the Criminal Court for his assault upon Capt. Abbott and myself, I had the precaution to acquaint your Excellency of every particular circumstance which took place, and on the most of them I had the honour to receive your advice, and throughout the whole of that affair so to act as to obtain your Excellency's entire and perfect approbation.

Charge against Lieutenant Marshall.

In the first instance, no doubt but your Excellency will remember that when the magistrates laid before you the evidence which they had taken by your order, on the charge that Lieut. Marshall had embezzled a part of the effects of the late Lieut. Crawford, your Excellency thought so ill of Lieut. Marshall's conduct that you signified to the magistrates a desire to bring him to a Criminal Court, and that in your address to him immediately after you expressed your approbation of the delicacy of my behaviour towards him.

Macarthur's consideration.

Your Excellency will also recollect that on the day when Lieut. Marshall insulted me in the streets you were informed of the measures I pursued in consequence of it, and that you in the warmest manner declared yourself pleased with my conduct.

King's advice.

When I repeated to you the ungentlemanly behaviour of Lieut. Marshall to Capt. Abbott and myself in the assault he made upon us the next day, your Excellency will also remember that you expressed to us both your abhorrence of Lieut. Marshall's proceedings, and accompanied it with your advice to bring him immediately before a Criminal Court.

That advice we pursued, and the results of it I need not repeat. But as that result tends to make my friend Capt. Abbott and myself appear the aggressors, this call upon your Excellency becomes the more necessary; and that the effect of it may not be confined to

e, I have to request that my letter may accompany the
d your remarks upon them to His Majesty's Secretary of
I have, &c.,

JOHN MCARTHUR,
Captain, N.S.W. Corps.

1801

25 Sept.

Macarthur's
statement to
be sent
Home.

[Enclosure No. 17.]

TENANT-COLONEL PATERSON TO SIR JOSEPH BANKS.†

With marginal note by Governor King.

[Extract.]

by Governor King.

store-houses were
in, and the vermin
g a great part of
it could be issued,
ould have been the
to purchase grain
; it in the public
I answer, it would
ed those who had
a due to them from
tunate settlers, for
mer monopolising
itous proceedings.
ent might have
; the vermin might
it, and the weather
ve destroyed what
in left; and in-
the expences of
chased in the last
rters amounting to
[might have ex-
my superiors why
ed to £20,000, and
the quantity pur-
as destroyed.

GIDLEY KING.

"I need not say anything respecting the Purchasing
state of the colony, the Governor's despatches wheat.
will be quite explanatory on that head, but
I cannot help observing that he has carried
his economy too far. There was a time when
wheat might have been had (which he refused
to take).‡ The consequence was that many
of the settlers had no other way of disposing
of their grain than to feed their stock with
it, and hundreds of bushels have been used
for that purpose."

W. PATERSON,
Lieut.-Colonel.

wer to this letter will be found on p. 548, post.

part of the letter from Lieut.-Col. Paterson to Sir Joseph Banks, referred to by
King in his despatch to the Duke of Portland, of 25th September, 1801, ante,
e Governor had written across the top of the extract, "Copy of an extract from
item by Lieut.-Col. Paterson, but corrected by Captain John McArthur, to Sir
Banks."

note by Governor King.—"This assertion, Col. Paterson tells me, was talked of
by the officers, and I believe that at that time their minds were as much worked
as the Colonel's. However, the trials at the Civil Courts and almost every
ground and crop being under assignments for the payment of the debts imposed
the most disgraceful extortions, prior to my taking the command, are sufficient
the settlers were not at liberty to dispose of their grain in that manner, partic-
ularly the destructive floods that happened during the last year; but admitting such
undance of grain, to what other purpose could the overplus be better applied
than to the stock? Justice to Col. Paterson requires my observing that after all
what he has given of his hearty coincidence in my pursuits for the welfare of this
colony, more particularly the communications of what he has written to the respectable
persons to whom this extract is addressed, on every proceeding occasion, I feel it necessary
to make observations by expressing my firm conviction that these assertions were
made him by the reports and persuasions of those who were aiming at anarchy and

"PHILIP GIDLEY KING."

1801

[Enclosure No. 18.]

25 Sept.

GOVERNOR KING TO CAPTAIN MACARTHUR.

Sir, Sydney, 19th August, 1801.

In answer to yours of yesterday's date,* I enclose you the promised extracts which was made out ready to send you when my dispatches were closed, and from the tenor of the remaining part of your letter I find the following explanation necessary :—

Lieutenant
Marshall's
conduct.

King's
advice to
Marshall.

A crime or a
mistake.

A bad busi-
ness.

A projected
duel.

Marshall's
assault on
Abbott.

Soon after the Cornwallis's arrival, as Commanding Officer in Col. Paterson's absence, you informed me that a report was circulated respecting Lt. Marshall's having appropriated the gun and a rug of Lieut. Crawford to his own purposes by substituting others in their room, and that you were taking steps to recover it, which I fully approved of. Lt. Marshall two days after bro't me a letter written by you at his request, as he told me, informing him of the reports that were in circulation, &c. The letter I did not read, but told Mr. Marshall that if his character was called in question his best way was to clear it up by some kind of enquiry, and if he wished it, I had no objection to direct the magistrates to enquire into it, which was done, and it appeared from their report that Lt. Marshall had certainly (whether criminally or not the magistrates, i.e., the Judge-Advocate and Mr. Balmain, wo'd not take upon themselves to say) sent his own gun and a rug on shore instead of those belonging to Lt. Crawford. As the business was left for my decision, I sent for Lt. Marshall and gave him a very severe reproof for his conduct in your presence, and added that it appeared such an incorrect transaction on his part that the least said about the business was the best. I also thought, and said, that your conduct throughout the business was nothing more than what your situation respecting the deceased officer's effects exacted from you. More than this I did not hear of till you came to my bedside, where I was confined by indisposition, and told me of Lt. Marshall's hav'g insulted you, your having called him out, and your friend, Captain Abbott, objecting to put himself on a footing with the person who kept Capt'n Tennant's shop as Mr. Marshall's friend, and that there the affair rested. In answer to which I perfectly remember observing that I could take no other notice of it than binding the parties over to keep the peace, which I would do if you requested it. Your answer was, that that was by no means your intention, assuring me that this communication was not official. I heard no more of the business till the next day, when Capt'n Abbott came and complained of the assault he had received from Lt. Marshall, and soon after was followed by yourself with a similar complaint. At your relations I certainly expressed the greatest disapprobation of Lt. Marshall's conduct, and wrote to the Judge-Advocate and another magistrate to enquire into the business, and if it appeared to them as represented to me, to commit Lt. Marshall for trial.

* Ante, p. 543.

Having stated every circumstance as came to my knowledge in this affair, it is necessary I sho'd advert to your remark of "having received my advice." If you conceived my approbation of your conduct as Commanding Officer respecting the deceased officer's effects as giving my advice, I must disclaim it. Your coming to me with the information of how far you had gone on a point of honor was, I supposed, of the most private and confidential nature, totally unnecessary for me in my situation as Governor, and on a bed of illness, to be informed of, unless you meant to avail yourself of my authority in putting a stop to it, which you assured me you did not wish by any means to do. But could I have foreseen what has since occurred I most certainly sho'd have considered your then communication with me as a very sufficient reason for doing my duty in ordering yourself, Capt'n Abbott, and Lieut. Marshall into arrest until you had given sufficient securities to keep the peace. As I had no communication with you from the time of your complaining to me of the assault until the receipt of your letter, I most certainly do acquit myself of giving you any other advice in this business than directing Lieut. Marshall to be bro't to trial for his unwarrantable assault.

1801

25 Sept.

King's disclaimer.

Macarthur's motives.

No advice from the Governor.

I could have wished that the Court which sat on those trials had done the prosecutors, themselves and the prisoner the justice I afforded it the means of doing in examining into the truth of Lt. Marshall's assertions respecting their illegal and informal proceedings, on which ground alone I form my representation to the Secretary of State, and which might have been avoided by the members obeying my legal commands.

Mr. Balmain's returning to Sydney enables me to enclose the three attested documents respecting your assertion in the fifth paragraph of your letter, of my having "signified to them as magistrates a desire to try Lt. Marshall by a Criminal Court, &c."

Docu-
mentary
evidence.

The proceedings and documents you heard read remaining in the same sealed state they were delivered to me, instead of opening them I shall send your letter, agreeable to your desire, with this and its enclosures, after being properly attested, in a separate cover.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 19.]

GOVERNOR KING TO JUDGE-ADVOCATE ATKINS AND
SURGEON BALMAIN.

Gentlemen,

Sydney, 20th August, 1801.

I have to request you will have the goodness to give me a written answer to the following question:—

When you gave me the evidence you had heard for and ag't Lieut. Marshall's conduct respecting the effects of Lieut. Crawford,

An explicit
answer
demanded

1801 deceased, on the passage from England in the Earl Cornwallis,
25 Sept. without any decision of yours on the subject, *did I*, or *did I not*,
signify a desire to bring Lieut. Marshall to a criminal trial?

I am, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 20.]

JUDGE-ADVOCATE ATKINS TO GOVERNOR KING.*

20th August, 1801.

Lieut.
Marshall's
position.

In answer to your Excellency's question, "Whether you did or did not express a desire to bring Lt. Marshall to a criminal trial?" I beg leave to answer that on Mr. Balmain and myself presenting to your Excellency the proceedings as taken before us respecting Lieut. Crawford's effects, without our having given any decision thereon, you asked us if there were grounds sufficient to bring him before a Criminal Court, and that it was our opinion nothing could be made of it.

I have, &c.,

RD. ATKINS.

[Enclosure No. 21.]

OFFICERS TO GOVERNOR KING.

Sir,

Sydney, 20th August, 1801.

We have the honor to acknowledge the rec^t of your Excellency's letter of the 18th, accompanied by a copy of a letter to the Judge-Advocate and to Lieut. Jas. Grant, together with a copy of their answer thereto.

In this answer they have denied that the opinion given by the Crim'l Court was unanimous, and they have expressed their concern "that any doubts should have arisen between us as members of the Court," and they attempt to account for this difference by saying that we misunderstood them.

A misunder-
standing.

An
unanimous
opinion.

We shall say nothing of our surprize and astonishment at this declaration, but content ourselves with repeating this asseveration—that the Judge-Advocate, Lieut. Grant, and ourselves were unanimously of opinion that it was impossible, without acting contrary to law, to comply with the order of your Excellency in proceeding further than we had done in the trial of Lieut. Marshall after we had passed sentence upon him.

A serious
allegation.

And as these gentlemen have thought it *prudent* to deny that any such unanimity existed, we feel ourselves compelled to throw off all reserve, to forego any disposition to forbearance which delicacy in a less important case might incline us to indulge, and to transmit herewith to your Excellency our solemn depositions to prove that they have denied the truth.

It is also proper for us to state that when your Excellency's first disapprobation was signified at our declining to examine additional evidence, or to proceed further in the trial of Lieut.

* Surgeon Balmain sent a similar reply to the Governor.

Marshall after sentence was passed upon him, the Judge-Advocate declared to Captain Mackellar "that he only came in for the seventh part of it," and that both him and Lieut. Grant were requested to join in a representation to your Excellency of the 11th inst., to which the former gave a positive refusal, and the latter did the same, assigning as an excuse "that it was entirely in your Excellency's power to deprive him of his present command." 1801
25 Sept.
Lieut.
Grant's
reason.

After such a declaration from the one, and such a reason from the other, your Excellency, we think, need not be troubled with the recital, *at present*, of the opinion which induced us not to consult those gentlemen or to ask for their signature to our letter of the 17th.

This explanation, we trust, will satisfactorily account for our not considering either the Judge-Advocate or Lieut. Grant as disposed to justify opinion, or to unite in an endeavour to shew that no principle but that of justice influenced us.

And if it should be thought necessary that we should assign a reason why the word "unanimous," used in the sentence of Lieut. Marshall, was not repeated in the opinion delivered to your Excellency on the 7th inst., we can offer no other than that we did not observe it, and can form no conclusion but that it was omitted by the Judge-Advocate for the express purpose which it has been applied to. An
intentional
omission.

We have, &c.,

W. PATERSON.	THOS. DAVIES.
JOHN PIPER.	HUGH PIPER.
N. MACKELLAR.	

[Enclosure No. 22.]

Deposition.

I, LIEUT.-COL. WILLIAM PATERSON, do make oath that on the 7th inst., in obedience to the orders of His Excellency the Governor, communicated to me by Richard Atkins, Esq're, the Judge-Advocate, I met the other members of the late Criminal Co't which sat upon the trial of Lieut. James Marshall, of the Royal Navy, to take into consideration the orders of the Governor relative to certain allegations made by him in a memorial on the informality and injustice of the proceedings of that Court in the course of his trial; and that after hearing the memorial of the said L't James Marshall read, together with the Governor's directions on the subject to myself and the other members, we unanimously concurred in opinion that we could not, without acting contrary to law, comply with his orders to examine fresh evidence or to take a retrospective view of our proceedings on that trial after having passed sentence on the said L't James Marshall. The
deposition of
Lieut.-Col.
PATERSON.

The
Court's
decision.

1801
25 Sept.
—
A
unanimous
agreement.

And in this opinion I solemnly declare Richard Atkins, Esq're, the Judge-Advocate, and Lieut. James Grant, of the Royal Navy, decidedly joined with myself and the other members of the Court.

And I do further swear that the Judge-Advocate drew up an answer in writing, which he submitted to the opinion of the members, and which answer, with the addition of the words "or to take a retrospective view of any part of the proceedings," was unanimously agreed to and given as our answer to the Governor. It being proposed that each member should sign the report or answer, the Judge-Advocate replied it would be quite unnecessary, as he should sign it by order of the Court.

Lieut.
Grant's
attitude.

And I do further swear that on a proposition being made by some of the members to wait on the Governor and explain our opinion, Lieut. Grant was one who positively refused so to do, adding to his refusal that he was satisfied in his own conscience, as he was sure the other members must be in theirs, that every justice had been done Lieut. Marshall, and he was really ashamed of his (L't Marshall's) conduct after having had so fair a trial, and been dealt with so much lenience as he had been.

Selfinterest.

And I do further swear that I was in company with Lieut. Grant, James Thomson, Esq're, and Capt. Mackellar, when Lieut. Grant being asked to join in addressing the Governor declined it, assigning as a reason that it was in the Governor's power to deprive him of his situation.*

W. PATERSON.

[Enclosure No. 23.]

JUDGE-ADVOCATE ATKINS TO GOVERNOR KING.

21st August, 1801.

The Court-
Martial on
Lieutenant
Marshall.

YOUR Excellency's letter† directed to L't Grant and myself inclosing certain papers received from five members of the Criminal Court which sat on the trial of L't Marshall, and whose names are thereunto signed, requesting we will explain the accusations they prefer against us, is duly received.

Decision not
unanimous.

I think it necessary to answer for myself, leaving L't Grant to do the same.

I still assert that the Court was not unanimous in their decision alluded to, and that when I said those gentlemen misunderstood us (as far as I am concerned) I meant to say that I had given no opinion whatever on the subject (it was unnecessary for me so to do, four gentlemen's opinions having coincided); and if they supposed my silence was an acquiescence (on which I presume the affidavits are founded), those gentlemen and myself entertained very different ideas on the subject.

* The depositions of the remaining military officers, members of the Court, were to the same effect as Lieutenant-Colonel Paterson's, and are, therefore, omitted.

† This letter is not available.

I apprehend it is in the recollection of those gentlemen my telling them that I wo'd write whatever they thought necessary to say on the subject, and they will further call to mind that I signed it by order of the Court; but does it therefore follow that the Court was unanimous in giving that order?

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25 Sept.

A pertinent question.

I recollect perfectly well Capt. Mackellar saying to me in the street that he thought an answer to L't Marshall's address to your Excellency ought to be given, and that for himself he would answer it; but at the same time I recollect my not giving any reply to those observations.

I likewise remember my saying in common conversation that I came in only for a seventh part of His Excellency's disapprobation. Was not that disapprobation expressed in H. E. letter to the Judge-Advocate and the other members?

Atkins's opinion.

With respect to the gentlemen not taking notice that the word "unanimous" formed a part of the opinion of the Court on Capt. Abbott's prosecution, I shall only say that it was read by the Judge-Advocate to the members before the Court was opened, to be communicated to the prisoner and to the audience. To that part of their letter, "they can form no conclusion but that it was omitted by the Judge-Advocate for the express purpose which it has been applied to," I shall merely observe that at the time that circumstance took place it was altogether impossible for any person not possessed of a preternatural power to foresee any purpose to what it was likely to apply, either for the sake of ambiguity in one way, or duplicity in another. The word "unanimous" was certainly "omitted by me on the last occasion, and for the express purpose with which it was applied," to shew that there was a difference of opinion, and consequently there could not be unanimity.

How the sentence was recorded.

The reason for the omission.

I have now, in obedience to your Excellency's orders, answered, as far as I conceive necessary, the accusation preferred against me by those gentlemen, and shall conclude with observing that it appears to me a great deal of time has been taken up on a subject that does not either affect the trial or sentence of Lieut. Marshall; but how far I am or am not to be a partaker of the charge of disobedience to your Excellency's orders—which I hope I have exonerated myself from—the paper I read to your Excellency on the morning of the 7th, prior to the meeting of the Court, will, to an unprejudiced mind, convince that I did not suspect your orders would have been disobeyed, and surely I could form no idea of disobedience on my own part.

The charge of disobedience of orders.

One thing more: the gentlemen cannot forget that I brought to the Court several law-books with the pages marked for reference on the subject before them, which they declined having recourse to.

I have, &c.,

RICHD. ATKINS,
Judge-Advocate.

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[Enclosure No. 24.]

25 Sept.

LIEUTENANT GRANT TO GOVERNOR KING.

Sir,

21st August, 1801.

Grant's
explanation.

I am this day honored with yours enclosing papers from the five members which composed part of the late Criminal Court held for the trial of L't James Marshall, and have read with attention the allegations therein contained.

In regard to any observations I might make on the justice of these proceedings, I cannot tax myself with any such expressions as are there preferred.

The
sentence on
Lieutenant
Marshall.

But this I said, and now say, that the sentence passed on L't Marshall for the assault on Capt. Abbott was, and is, in my own individual opinion, just, and at the same time moderate. In regard to any irregular proceedings of that Court, how far such sentence may be just in the eyes of the law I have not knowledge sufficient in these matters to determine.

A dilemma.

I further observed when we were met together by your order to examine the allegations laid before you by L't Marshall that I was sorry L't Marshall had brought us again together on such an occasion; that I felt myself very awkwardly situated—but this was previous to any business being done by the Court on that day; and I further think that the word “ashamed” which those gentlemen have been pleased to apply is a premature expression, as it is a word not common to me. I also stated that the sentence passed on Lieut. Marshall was one that I could lay my hand to my heart and say, as an individual, I had done my duty by him; “that my conscience told me so; and when it was mentioned that our sitting on the business then before us was like trying ourselves, I replied, I cared not if ten thousand Courts were to sit on me for my conduct in that trial, and my verdict accordingly, I should not be afraid of any consequences.”

A conscientious
verdict.

But now, sir, I must speak to the point to which all this business tends, which is neither more or less than “a disobedience of your orders.”

The question
of
unanimity.

I have in a joint letter* from the Judge-Advocate and myself expressed to you my sentiments on the unanimity of the answer sent you by that Court—and I here confirm them. But as I am now called on to reply to such allegations as those gentlemen have been pleased to lay before you, I trust it will be no difficult matter to convince you and every other disinterested person that such sentiments are just and true.

Grant's conduct
during
the inquiry.

In the first place, I never dictated any part of that answer, for in my own breast I foresaw the consequences which were likely, and has now taken place; and this I believe I mentioned, tho' I will not be certain that it was taken notice of. Nay, further than

* See Enclosure No. 13, ante, p. 548.

this, after the answer was framed I observed to one of the members who stood next me that I wo'd not be surprized if he, meaning the Governor, sent us all to jail for it. This I believe was heard by more than the one I spoke to ; however, it matters not, I at that moment said so.

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25 Sept.

I further, sir, inform you that, wishing to avoid any opinion of mine on the subject, I positively went from the place where the members were standing together and got up into the pulpit, endeavouring to kill the time as much as I could, from which I was called to hear the business read.

And I further say and declare that when the question was put I never said yes or no, for it was done in that manner that I got it avoided.

An evasive method.

In regard to positively refusing to go and explain to you any of the proceedings of that Court, I certainly did refuse, for I was not in my own conscience guilty of any one thing that required such an explanation ; but surely my opinion ought to have had no weight on any of the other members of that Court. I did not advise them to stay away—I only spoke for myself. At the same time, let it be remembered my observing if I wanted to explain anything to you I sho'd go by myself. With regard to my not entering into any explanations, the gentlemen themselves have pointed out the properest reason in the world for my refusal—however, not with the same motives, which I shall here lay before you (and which I was aware of, if they were not).

A personal matter.

It is a certain fact I was given to understand a meeting of the members of that Court was necessary to point out to the Governor the propriety of their proceedings, which I positively refused—for this good reason, that I have always been led to guard against meetings of every kind, for I have never seen any good come of them. It perhaps in this case might have happened well ; but as every man has an opinion of his own, which opinion you may hold different to any of us, what construction, sir, you might please to put upon such proceedings I know not ; but I am determined not to expose myself to the lash of them. I have said before, you might allow them to be proper ; at the same time it was equally in your power to say we, as private individuals, were privately settling public matters, and much more, perhaps. Therefore, sir, I am resolved to avoid all businesses of this kind, as my Commission is not only at stake, but my public character, as being the only naval officer in this colony next to yourself.

A non-committal policy.

Grant's reputation at stake.

Therefore I declined having anything to do with this explanation (where deliberations were necessary), for by so doing I not only exposed my situation in life, but also laid myself open to your indignation.

I believe I have now answered to all the allegations those gentlemen have preferred against me, and I am sorry they have forced

1801 me to it, but these are my sentiments and nothing but the truth ;
 25 Sept. and I still persist in saying the Court were not unanimous to the
 answer sent you, for I am one that did not approve of it.

I have, &c.,

JAS. GRANT.

[Enclosure No. 25.]

CAPTAIN MACARTHUR TO GOVERNOR KING.

Sir, Sydney, 22nd August, 1801.

Macarthur on Marshall's trial. I have the honor to acknowledge the receipt of your letter of the 19th inst., which I received at Parramatta late in the evening of the 20th, and should have replied to it immediately but that I thought it necessary to enter into a further explanation with Mr. Balmain on his answer to your question to him, whether "you did or did not signify a desire in his presence to bring Lieut. Marshall to a Criminal Court." This explanation I have now read, and enclose it herewith for your Excellency's information, together with the copy of a letter from Capt. Mackellar on the same subject, which I hope will be sufficient to set this point at rest.

Balmain's explanation.

Macarthur and King.

Macarthur's explanation.

And now, sir, I am to defend myself against that paragraph of your letter wherein you appear to reproach me with having improperly brought forward a private and confidential conversation, and with having obtruded myself and this conversation upon you at a time "when you were on a bed of sickness." To this I answer that I have never attempted to publish or thought of repeating what passed in that conversation ; and when I spoke of the advice I received from your Excellency, I alluded not to any which you gave at that time, because I did not consider myself at liberty so to do—and, indeed, I am distressed that it is in any shape become the subject of an official correspondence ; but as your Excellency has introduced it, and as you appear to be in some doubt what my motives were for making such a communication, I must endeavour to remove these doubts by assuring you that I was induced to it, not from a desire of bespeaking your interference, but to prevent it, as I was certain you would soon be in possession of all I had to relate by information from some other person.

His interview with King.

I shall trespass on your Excellency's patience no further than to account for my conduct in troubling you with such an affair when you were confined to your bed. If the time I took for this purpose was improper, I am sorry for it, and it must be imputed to my ignorance, and not to a premeditated desire to disturb you unreasonably, for I knew not that you were then more indisposed than you were at noon the same day, when I found you perfectly inclined and ready to attend to business.

I have, &c.,

JOHN MACARTHUR,
 Capt., N.S.W. Corps.

[Enclosure No. 26.]

1801

CAPTAIN MCKELLAR TO CAPTAIN MACARTHUR.

25 Sept.

Dear Sir, Sydney, 21st August, 1801.

In answer to your letter of the 20th, I have to inform you that I did not hear His Excellency Governor King ask the Judge-Advocate if there were sufficient grounds to bring Lieut. Marshall before a Criminal Court, and from the observations which accompanied it and the remarks His Excellency afterwards made to Lieut. Marshall in your and my presence, I certainly concluded he was desirous so to do, if the offence of which Lieut. Marshall was accused had appeared to be of such a nature as to warrant it.

Captain
McKellar's
statement.

I am, &c.,

N. MCKELLAR.

[Enclosure No. 27.]

SURGEON BALMAIN TO CAPTAIN MACARTHUR.

Dear Sir, Sydney, 21st August, 1801.

In reply to your letter desiring to know whether the expression in my letter to Governor King of the 20th inst., that nothing could be made of the business against Lieut. Marshall, was intended to convey an opinion that he was innocent of having appropriated, with an improper intention, the effects of the late Lieut. Crawford to his own use, I have to observe that in my own mind I thought that Lieut. Marshall had acted in a very improper manner, and this sentiment I expressed in strong terms to the Governor, whose remarks to me evidently evinced a desire to try Lieut. Marshall by a Criminal Court, if such evidence could have been brought forward as would have produced a conviction; but what I heard of the evidence convinced me that the attempt would have been fruitless, and on that ground I founded my observation to the Governor that nothing could be made of it.

Balmain's
opinion

on the ad-
visability
of trying
Marshall.

I am, &c.,

WILLIAM BALMAIN.

[Enclosure 28.]

GOVERNOR KING TO CAPTAIN MACARTHUR.

Sir, Sydney, 22nd August, 1801.

In the act of closing my despatches I have just received yours in answer to mine of the 19th instant.

As the testimony of the Judge-Advocate, Mr. Balmain, and Captain McKellar, my aid-de-camp, agrees so exactly respecting what they thought and said on the extent of Lieut. Marshall's criminality respecting the gun and quilt, I shall only add that had there been sufficient cause to try Lieut. Marshall for that transaction, I should have as readily have ordered it as I did his trial for the assaults.

Lieut. Mar-
shall's trial.

1801
25 Sept.
Macarthur
and King.

What your motives were for saying in yours of the 18th that "in most of the transactions you had the honor of receiving my advice" are best known to yourself; but to prevent any improper conception by the readers of that letter, I found it necessary to state the facts contained in my reply in defence of my reputation in the situation I have the honor to hold. I have, &c.,

PHILIP GIDLEY KING.

[Enclosure 29.]

CAPTAIN MACARTHUR TO GOVERNOR KING.

Sir, Sydney, 22nd August, 1801.

I had flattered myself that my last letter would have concluded the trouble I have so unwillingly given to you; but as you still seem to be unsatisfied as to my meaning in saying "I had the honor of receiving your advice," I must beg to acquaint your Excellency that I certainly did consider you as advising me in two conversations out of the three I had with you respecting Lieut. Marshall, and that I may not appear singular in this opinion, at least as to the last conversation, I beg leave to submit to you a letter from Captain Abbott. I have, &c.,

JOHN MCARTHUR.

[Enclosure No. 30.]

CAPTAIN ABBOTT TO CAPTAIN MACARTHUR.

Sir, Sydney, 22nd August, 1801.

In reply to your letter of this date, I have to inform you that His Excellency Governor King certainly advised you and myself to commence the prosecution against Lieut. Marshall for assault. I have, &c.,

EDWARD ABBOTT.

[Enclosure No. 31.]

Sir, GOVERNOR KING TO CAPTAIN MACARTHUR.

King's
disclaimer.

If you will refer to my letter of the 18th inst. you will there see that I admit I ordered the trial; other advice, if you term that advice, I gave you none. I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 32.]

GOVERNOR KING TO ADJUTANT MINCHIN.

Government House, 14th September, 1801, 8 p.m.

Duel be-
tween Pater-
son and Mac-
arthur.

LIEUT.-COL. PATERSON, Commanding Officer of the New South Wales Corps, now suffering under a wound he received this day from Capt. John McArthur, of the New South Wales Corps, Ensign and Adjutant Minchin will inform Captain Abbott, next in command, that it is my order Captains Piper and Mackellar, seconds to the above officers in the *rencontre*, be put under arrest, and a centinel placed at each of their barracks until further notice.

PHILIP GIDLEY KING.

[Enclosure No. 33.]

1801

GOVERNMENT AND GENERAL ORDER.

25 Sept.

15th September, 1801.

THE Governor deeply laments that circumstances should have operated so forcibly on the mind of Lieut.-Col. Paterson, Commanding Officer of the New South Wales Corps, as to exact private satisfaction for the injury it appeared to him his honor had received from Capt'n McArthur, of the same Corps, whereby the King's service and the welfare of this colony may experience a great loss. In consequence of the event of that *rencontre*, and the surgeons having declared that Colonel Paterson's life is by no means out of danger, Captains McArthur, Piper, and Mackellar are to be put under a close arrest until the surgeons pronounce him in a state of convalescence. On that officer's life being out of danger, the good of His Majesty's service in this colony requires that Captain John McArthur and Lieut't T. Davies hold themselves in readiness to embark on board His Majesty's armed vessell Lady Nelson, for the duty of Norfolk Island. Capt'n Abbott and Ensigns Brabyn and Piper to remain at head-quarters. Lieut. Hobby to command the detachment at Parramatta. A captain to be constantly at head-quarters.

The duel between Paterson and MacArthur.

The principals put under arrest.

PHILIP GIDLEY KING.

[Enclosure No. 34.]

GOVERNOR KING TO CAPTAIN ABBOTT.

Government House, Sydney,

15th September, 1801, 8 a.m.

GOVERNOR KING requests Capt'n Abbott will direct the Adjutant to bring Captains Piper and Mackellar to Government House after guard mounting, when the centinels placed over those officers are to be taken off.

Arrest of the seconds.

[Enclosure No. 35.]

GOVERNOR KING TO ADJUTANT MINCHIN.

Government House, Sydney,

15th September, 1801, 9 a.m.

ADJUTANT MINCHIN will inform Captains Piper and Mackellar that it is my direction they do commit to writing the particulars of the *rencontre* that took place yesterday between Lieut.-Colonel Paterson and Captain McArthur, in which statement Capt'n Mackellar will explain the causes that led to that meeting, and Capt'n Piper will account for his conduct in going out as second to another officer in a duel against their Commanding Officer. The Adjutant will remain in the room with those officers, and when their separate reports are finished they are to be signed by them, and witnessed by him, previous to their being delivered to me.

The seconds ordered to report on the duel.

1801

[Enclosure No. 36.]

25 Sept.

CAPTAIN MCKELLAR'S ACCOUNT.

15th September, 1801.

Lieut.-Col.
Paterson's
feelings.Divulging
private com-
munica-
tions.Paterson's
relations
with Mac-
Arthur.The chal-
lenge.Arranging
the prelimi-
naries.Particulars
of the duel.

LIEUT.-COL. PATERSON, feeling that the steps which had been taken by Capt. McArthur in divulging his private as well as public correspondence, and also in making public private conversations which took place at the Lt.-Colonel's house while he (Capt. McArthur) lived there as a friend; in exhibiting a letter from Mrs. Paterson to Mrs. McArthur to different descriptions of persons, and putting such interpretations on its contents as he thought most likely to answer his own purposes, and such as might give a colour to an alledged breach of hospitality and friendship on the part of Mrs. Paterson; in insinuating the probability of Mrs. Paterson's using undue influence with Governor King, through the medium of Mrs. King, to injure Capt'n McArthur; that this conduct having taken place since the day on which Capt. McArthur left Sydney, when he had dined with the Lt.-Colonel and taken friendly leave, and there having since then been no communication between them that could give Capt'n McArthur the shadow of pretence for such a violation of what has ever been held sacred amongst men of honor, proceeded from a design to injure his reputation in the opinion of the world, but particularly in that of the Governor, as well as to wound his feelings.

Conceiving, therefore, a just resentment for such, as he thought, treacherous and malicious conduct, he requested that I would call upon Capt. McArthur to give him the satisfaction of a gentleman.

Thursday, the 10th, I delivered Capt. McArthur a message from Lt.-Col. Paterson, nearly in the following words, viz't:—"As you have abused the confidence Col. Paterson had reposed in you, he expects you will give him that satisfaction he, as an injured man, has a right to require," to which he replied, "Whenever he pleases," when it was agreed that a meeting should take place on the following day, Friday, at 4 o'clock, which hour was afterwards altered to 1 o'clock; but the weather proving unfavorable, it was postponed to Saturday, the 12th, which morning being stormy, with rain, it was agreed between Capt. Piper and myself that he should go to Parramatta to stop Capt. McArthur's coming to the place appointed for the meeting, and determined on Monday, the 14th, at 1 o'clock.

When we had agreed upon the spot, Capt. McArthur loaded his own pistols, while Capt. Piper stood by and helped him to what he wanted. I loaded Col. Paterson's, and when done tossed up for the first fire, which was won by Capt. Piper for Capt. McArthur; measured the distance (twelve paces) and desired Col. Paterson, who stood a little way off, to take his ground, which having done I gave him a pistol not cocked. Capt. McArthur fired, and his

ball having hit the Colonel in the right shoulder he dropt his pistol. I made Capt. McArthur keep his ground until I found by Mr. Harris's assurance, as well as the Colonel's own, that it was impossible he could return the fire. I then told Capt. Piper that his principal might quit his ground, when Capt. McArthur sent me a message, as if exulting in victory, that he should be ready for Col. Paterson at any time.

1801

25 Sept.

NEIL MACKELLAR.

[Enclosure No. 37.]

CAPTAIN PIPER'S ACCOUNT.

15th September, 1801.

THURSDAY, Sept'r 10th, Capt. McArthur informed me that Capt. Mackellar had waited on him with a message from Lieut.-Col. Paterson, demanding satisfaction, and requesting me to be his second.

Piper's account.

The meeting took place yesterday, and Lieut.-Col. Paterson was wounded.

JOHN PIPER.

[Enclosure No. 38.]

COPY OF A CERTIFICATE TO CAPTAIN MACARTHUR.

Parramatta, 15th September, 1801.

THIS is to certify that Capt'n John McArthur being this evening ordered into arrest, he produced to us the pistols which he used in the affair of honour between Lieut't-Colonel Paterson and himself; and that on examining them we were satisfied that, from some defects in the locks, no person, except well acquainted with the method of guarding against those defects, could load one of them without the greatest danger of shooting himself, and that another of them requires a very particular management in the half-cocking, to prevent it missing to go off when put on the full-cock.

The pistols examined by certain officers.

WM. MINCHIN, Ensign and Adjutant.

WM. MOORE, Ens'n, N.S.W. Corps.

JOHN BRABYN, Ens'n, N.S.W. Corps.

HUGH PIPER, Ens'n, N.S.W. Corps.

We, the undersigned, do further certify that we know Capt'n McArthur's pistols were defective before the meeting with Lieut't-Col'l Paterson.

JOHN BRABYN, Ens., N.S.W. Corps.

WM. MOORE, Ens., N.S.W. Corps.

[Enclosure No. 39.]

CAPTAIN MACARTHUR TO GOVERNOR KING.

Sir,

Parramatta, 16th September, 1801.

The Adjutant of the New South Wales Corps will report that your orders respecting me have been obeyed, and that I was last night put in arrest. Your General Orders of yesterday were

Macarthur arrested and ordered to proceed to Norfolk Island.

1801 also communicated to me by that officer, and from them I learn
25 Sept. that I am at the same time put into arrest, relieved from the command of my detachment at this post, and ordered to prepare myself for another duty of detachment at Norfolk Island.*

Demands the reason, My part, sir, is obedience; but I think it incumbent on me to require information whether these, to me apparently extraordinary measures, are intended as a punishment for some supposed offence, or whether it is only to be considered as in the ordinary course of duty?

and asks for a Court-Martial. If it be meant in the first sense, as a British officer I require a copy of the charge against me, and permission to answer to it immediately before a General Court-Martial; but if it be to be understood the latter one, I beg leave to acquaint you, sir, that Captain Abbott, a junior officer to myself, is now at head-quarters, and whose duty it is to take the detachment on which I am ordered.

I am, &c.,

JOHN McARTHUR.

[Enclosure No. 40.]

GOVERNOR KING TO ADJUTANT MINCHIN.

Sir, Sydney, 17th September, 1801.

The Adjutant of the New South Wales Corps will inform Captain John McArthur, in answer to his letter to me of yesterday's date, that the cause and extent of the officers' arrest who were concerned in the *rencontre* that took place on the 14th inst. as well as my reasons for ordering Captain McArthur to hold himself in readiness to take the duty at Norfolk Island, when the surgeons may pronounce Lieutenant-Colonel Paterson's life to be out of danger, are stated in the General Orders of the 15th inst.†

The Paterson-McArthur duel.

PHILIP GIDLEY KING.

[Enclosure No. 41.]

CAPTAIN PIPER TO GOVERNOR KING.

Sir, Sydney, 19th September, 1801.

Piper under close arrest. As you were pleased to order me into a close arrest on the evening of the 15th inst., and to post a sentinel over me, and also to order me from my own barrack, in charge of Adjutant Minchin, into your presence at Government House, and there to reproach me with the commission of several offences, in a manner and in language very hurtful to my feelings, and after threatening that you would send me to England, with charges against me, then to direct the Adjutant to take me back to my arrest, in which I have continued ever since, a close prisoner. Justice to myself obliges me to require that you will be pleased to furnish me with a copy of the charges that are to be preferred against me, that I may prepare for my defence.

He asks for a copy of the charges.

* Captain Macarthur did not proceed to Norfolk Island. He was sent Home in the *Hunter*.

† *Ante*, p. 559.

d, if it be not presuming too much, I must desire to be informed what I have done that I, who only acted as the second of a challenged officer, am thought deserving more rigorous usage than the officer who carried the challenge.
I must further request that you will indulge me with leave to return to Paramatta to arrange my affairs before I quit this colony.

I have, &c.,

JOHN PIPER.

[Enclosure No. 42.]

GOVERNOR KING TO CAPTAIN PIPER.*

A reference to the General Orders of the 16th inst.† might be taken as an answer to your letter of this date; but to prevent a misunderstanding which your letter seems to admit of, you will expect that on my return to Sydney on the evening of the 15th, finding Lieutenant-Colonel Paterson dangerously wounded in a duel with Capt'n. John McArthur, I ordered Captain McKellar to offer yourself as seconds in that *rencontre* into the arrest you desire. And should you not have said that I ordered Capt'n McKellar, as well as yourself, to be brought to Government House at five o'clock the next morning under charge of the Adjutant, and I left you in a room together, to make out your separate statements of that affair, which, when finished, I returned, and after I perused them I must confess that the ideas they created in my mind was no ways favourable to you. In going out as a second to another officer of the same Corps against your Commanding Officer, Lieut.-Col. Paterson, whose friendship and attention to me certainly merited some other consideration and restraint on our part, both in the relation of Commanding Officer and a private, and however reprehensible and improper Lieut.-Colonel Paterson certainly was in calling an inferior officer out, and in ordering McKellar for carrying the message, yet, sir, I must admit that it would have been more becoming in you to refuse the office than to have accepted it. And after having taken the opportunity to see what is generally termed the most honourable proceedings between the parties, your suffering Capt'n. McArthur holding the pistol with which he unfortunately wounded Lieut.-Colonel Paterson renders your conduct still more reprehensible.

As you have demanded the charges against you, and comment on my reproaching you, I have repeated the above circumstances, and I will form the representation I shall make of your conduct. I will consult the General Orders of the 16th inst. you will observe that Capt'n. McArthur and McKellar are both under a similar

1801

23 Sept.

King's reply
to Capt.
Piper.

The arrest of
the principal.

Capt. Piper
censured.

The charges
against
Capt. Piper.

* This letter was not dated, but it was evidently written on the 19th September, and dated by Captain Piper on the 20th. See the reply which follows.
† 15th. See Government and General Order, ante, p. 559.

1801 constraint with yourself, until Lieut.-Col. Paterson's life shall be
 25 Sept. out of danger, which I hope will be before the eight days are
 expired, otherwise it will be necessary to deliver the parties over
 to the civil power. I have, &c.,

PHILIP GIDLEY KING.

[Enclosure 43.]

CAPTAIN PIPER TO GOVERNOR KING.

Sir, Sydney, 21st September, 1801.

Capt. Piper's
 reply.

I have the honor to acknowledge the receipt of your letter, without a date, the 20th inst., in reply to mine of the 19th inst., and I feel myself obliged to enter into some explanation, which, but for your observations, I should not have thought necessary.

The accounts
 the
 seconds.

I am unable to discover why I should have remarked that Captn. McKellar was sent for, at the time I was, to Government House, on the morning of the 16th inst., but as I neither design to conceal anything, or to write in such a way as may occasion misconception, I very readily admit that he was so. I must, however, to make the detail more compleatly circumstantial, observe that there was the remarkable difference in the manner of our coming and going from thence. I was totally unprepared to make the statement I was directed to write, but Captn. McKellar (as if he had been previously informed why his presence was required) came provided with several memorandums, to which he very frequently referred in drawing up his statement.

An invidious
 distinction.

At going, I was sent off in charge of the Adjutant, who was ordered to take me back to my confinement, whilst Capt. McKellar, the *challenger's second*, was released from his arrest at the same moment, and had his sword returned to him.

Piper do
 fends him-
 self.

In answer to the observations you were pleased to make to me at Government House, and again to repeat in your letter, on my conduct in going out as the friend of Captn. McArthur, and on my ingratitude to Lieut.-Col. Paterson, I have to say that I was induced to attend Captn. McArthur from friendship, and from a conviction that he was the injured person—a conviction not found on idle rumours, or the reports of unprincipled men, but from an entire and perfect knowledge of every circumstance that led to the call which was made upon him.

His relations
 with Pater-
 son and
 Macarthur.

The charge of ingratitude I can as easily answer. I acknowledge that I am much obliged to Colonel Paterson for the politeness and attention which I have received from him, and I shall at all times acknowledge it, provided the claim on me does not extend beyond a demand of that practice of gratitude which every gentleman ought to feel for such attention and politeness as is I believe very commonly paid by officers in command to those who serve under them. This is all that I ever did owe to Colonel Paterson; and I cannot say that I did, or that I do now, think myself under

such an immense load of obligation as that I should for him forsake an injured friend when my aid was necessary to the support of his honor. 1801 25 Sept.

As you appear to consider Capt'n McArthur loading his own pistols an offence of great enormity, I shall beg to explain you the cause. His pistols are so defective about the locks that no person but himself can load one of them without danger, and the other requires a very correct management in half-cocking or it will miss at the full-cock. This Capt'n. McArthur mentioned to Capt'n. McKellar in my presence on the Thursday before the meeting, observing at the same time that he made a point of honor to make it known least Col. Paterson should request one of his pistols, and it should deceive him; in this Capt'n. McKellar observed that he knew one pistol was defective, but that Colonel Paterson would use his own—a new case of valuable ones. In this statement I must beg to add the enclosed copy of a certificate obtained by Captain McArthur the night he was put into arrest, he having been told of the untrue and exaggerated representation written by Capt'n. McKellar, and that the circumstance of his loading his own pistols had been particularly remarked upon.

I have, &c.,

JOHN PIPER.

[Enclosure No. 44.]

GOVERNOR KING TO CAPTAIN PIPER.

Sir,

21st September, 1801.

In answer to yours of this date, you will please to observe that my observations on yours of the 19th was rendered necessary by the tenor of that letter.

Had the surgeons informed me of their opinion respecting Lieut't-Col'l Paterson's state previous to Captain McKellar and yourself giving your reports to me, Capt'n McKellar would not have been released, but would have been sent back to the confinement he, as well as Capt'n McArthur was ordered to, three hours after, on the surgeons making their report. The arrest of the principals.

To what aim your insinuation tends respecting Capt'n McKellar "being previously informed why his presence was required" I cannot discover; but I believe in most important and momentous concern every correct man makes such memorandums as may assist his memory. McKellar's notes.

Should you not have remarked in your circumstantial detail on what account Capt'n McKellar was released, viz., that he still was to consider himself answerable for his conduct, when an answer could be obtained to the representation that will be made of those events, but that the furtherance of His Majesty's service in this colony in the important Colonial duties he was engaged did not allow of his being kept under an arrest. His release.

1801
25 Sept.
—
Captain
MacArthur's
pistols.

Respecting the delicate construction of both, and defect you state in one of Capt'n McArthur's pistols, which is supported by a certificate, on which I shall make no comment, I am really sorry that for your own sake, as events have happened, that you had not been instructed in the management of the one that is not defective, between the Thursday when it appears this unfortunate business was in agitation and the Monday it took place, which would have rendered an explanation on that head unnecessary.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 45.]

GOVERNMENT AND GENERAL ORDER.

21st September, 1801.

Paterson's
life in
danger.

ALTHO' the surgeons* have this day reported that Lieut-Col Paterson is not out of danger from the wound he received on the 14th inst., yet, as the eight days limited for a military arrest expire this day, Captains McArthur, Piper, and Mackellar, principal and seconds in the unfortunate *rencontre* in which Col Paterson was wounded, are to be released from the arrest into which they were ordered by the General Orders of the 15th inst.; and notwithstanding the impropriety of admitting persons to bail situated as these officers are, yet the same reasons that operated with the Governor in committing them to a military arrest, rather than to the public jail, induce him to admit of their giving bail and proper security for their appearance before a Court of Criminal Judicature, in case it shall happen that Lt-Colonel Paterson dies in consequence of that wound. Those officers, as well as Lt-Col Paterson (when his situation will admit of it), are to give security and enter into recognizances for keeping the peace towards each other as long as they are in this territory and its dependencies.

PHILIP GIDLEY KING.

[Enclosure No. 46.]

JUDGE-ADVOCATE ATKINS TO CAPTAIN PIPER.

Sir,

21st September, 1801.

Piper called
on to find
bail.

Having this day been directed by His Excellency the Governor to take your bail in £250, and two sureties in £125 each, for your appearance at a Criminal Court when called on, as well as to keep the peace towards Lieut't-Col'l Paterson and Capt'n McKellar during your residence in this territory and its dependencies, I request you will transmit to me, as soon as possible, the names of your sureties, in order to their being inserted in the bond, which will be ready to be executed at 5 o'clock this day, at my house.

I am, &c.,

RD. ATKINS, J.-A.

* John Harris, Surgeon to the New South Wales Corps; George Bam, Surgeon, Royal Navy; and James Thomson, Acting Principal Surgeon to the Territory.

[Enclosure No. 47.]

1801

CAPTAIN PIPER TO JUDGE-ADVOCATE ATKINS.

25 Sept.

Sir,

Monday Evening.

In reply to your letter, I have to request that His Excellency Gov'r King, will indulge me until to-morrow, as I have written to Parramatta to request that Mr. Marsden and Mr. Cox will be my sureties, and I am afraid it will be impossible for me to have their answer before to-morrow evening; and I pledge my honour that I shall remain at head-quarters, and keep the peace until that time.

Piper asks for time.

I am, &c.,

JOHN PIPER.

[Enclosure No. 48.]

CAPTAIN MACARTHUR TO ADJUTANT MINCHIN.

Sir,

Parramatta, 21st September, 1801.

As you have been ordered by Governor King to return me my sword and to release me from his arrest, and as I am of opinion that it is necessary for the maintenance of my honour I should require and use every proper means to obtain a General Court-Martial upon my conduct before I consent to the arrest which I am now under being withdrawn, it may be proper for your justification that you should have my answer in writing.

Macarthur's release.

I am therefore to desire, sir, you will acquaint Governor King that I decline coming out of arrest; but that from a solicitude not to impede His Majesty's service, I am ready to do my duty whenever I may be ordered, provided that it be admitted I am, from the peculiar circumstances of the colony, to be considered as doing duty under an arrest, and that I am to be brought before a Court-Martial as soon as the public service will admit it.

Accepted conditionally.

And that my reasons may be clearly understood, I must desire you will also inform Governor King that I do, through you, as the Adjutant of the New South Wales Corps, demand a General Court-Martial upon myself, because I have been publicly disgraced in being ordered into close confinement by his General Order of the 15th inst., preceded, as that Order was, by a comment on the late affair between Lieutenant-Colonel Paterson and me, which comment appears as if intended to prejudice the world against my conduct, and deeply to wound and injure my reputation as an officer and a gentleman.

He demands a Court-Martial.

And I desire that you will assign, as further reasons for my declining to be released from arrest, that I conceive I have been put into it in the most disgraceful manner possible without having committed any offence, to which, either in itself or in its consequences, be they what they may, any military censure can be attached; and because I think that the good of His Majesty's service and the honour of the British Army requires that no officer should submit to unmerited disgrace and to injury without seeking for a public inquiry, and, if innocent, for public redress.

A disgraceful proceeding.

Must maintain his reputation.

1801 And I also desire you will inform Governor King that the
 25 Sept. statement which he has received from Captain Mackellar, and
 which was read by him in your presence and in the presence of
 A false state- Captain Piper, is greatly exaggerated and in some instances pre-
 ment. meditatedly false; that I therefore respectfully request he will do
 me the justice to order a copy of that statement to be sent to me
 that I may have an opportunity of clearly proving that I have
 betrayed no private correspondence, no private conversations, that
 I have displayed no exultation over a wounded opponent, or in
 any way behaved unlike a gentleman, but that, on the contrary, I
 am the person who has been betrayed, who has been exulted over,
 and who has been treated with the basest ingratitude and the
 blackest treachery.

The assailed,
 not the
 assailant.

I have, &c.,

JOHN MCARTHUR

[Enclosure No. 49.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 21st September, 1801.

Paterson
 recovering.

Not wishing to create any uneasiness in your mind during
 the doubtful state you have been in, I have deferred doing what
 my duty required, until now, when the surgeons have reported
 you fit to receive this communication.

King regrets
 Paterson's
 action.

I cannot help lamenting that any circumstance should have
 made such an impression on the mind of an officer of your rank,
 experience, and great respectability (exclusive of the consequences
 that would have attended your loss to His Majesty's service in
 this colony), to induce your seeking that satisfaction in a personal
rencontre, by calling an inferior officer out, which might have
 been obtained by a Court-Martial.

The papers
 to be sent
 Home.

As the events of this unfortunate business require my laying
 the particulars before His Majesty's Principal Secretary of State
 for the Home Department, I have to request you will furnish
 me with your reasons for this proceeding, which I cannot but
 consider as departing from the strict line of military discipline.*

I have, &c.,

PHILIP GIDLEY KING

[Enclosure No. 50.]

JUDGE-ADVOCATE ATKINS TO CAPTAIN PIPER.

Sir, 22nd September, 1801.

A letter to
 Piper.

I laid before His Excellency the Governor your letter,† and
 as he understands a breach of the peace is intended on your part,
 it is his positive order that you immediately attend here and sign
 the recognizance agreeable to his Order of yesterday.

I am, &c.,

RD. ATKINS, J.-A.

* See Lieutenant Colonel Paterson's reply to this letter, Enclosure No. 60, post, p. 568.

† Enclosure No. 47, ante, p. 567.

[Enclosure No. 51.]

1801

CAPTAIN PIPER TO JUDGE-ADVOCATE ATKINS.

25 Sept.

Sir, 22nd September, 1801.

I have no objection to enter into the recognizance for my appearance at a Criminal Court when called upon ; but I will give no bail to keep the peace till an information is lodged against me, upon oath, that I intend to break the peace.

Piper's
reply.

I am, &c.,

JOHN PIPER.

[Enclosure No. 52.]

GOVERNOR KING TO JUDGE-ADVOCATE ATKINS.

Sir, 22nd September, 1801.

Captain Piper having forfeited his word of honour as a British officer, in now refusing to give bail, on a pretext that does violence to my authority and lenient conduct, you will commit that person to jail till he appears to be convinced of the impropriety of his conduct in thus setting at defiance the King's authority.

a King
commits
him to gaol.

I remain, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 53.]

CAPTAIN PIPER TO GOVERNOR KING.

Sir, 22nd September, 1801.

Having informed the Judge-Advocate yesterday that I had sent for my friends to Parramatta to be my sureties, and having requested time until this evening to have their answer, and having pledged my word of honor to keep the peace until that time, I conceived my bond was not entered into, and that I had a right to make objections within the time limited. I am now sorry in having made any objection to sign the bond agreeable to my letter of yesterday, and see the impropriety of my last letter to the Judge-Advocate, and request that you will admit me to bail.

Piper agrees
to sign the
bond.

I have, &c.,

JOHN PIPER.

[Enclosure No. 54.]

GOVERNOR KING TO ADJUTANT MINCHIN.

Sydney, 22nd September, 1801.

ADJUTANT MINCHIN will inform Capt'n McArthur, in reply to his written message by that officer yesterday, that the reasons for Capt. McArthur and the other officers being put in arrest, and for that arrest being withdrawn, are expressed in the General Orders of the 15th and 21st inst.*

Why
Macarthur
was arrested
and released.

In noticing Capt. McArthur's reason for refusing to quit his arrest, Adjutant Minchin will inform him that the welfare of the

* Ante, pp. 559 and 566.

1801 King's service will not admit of Capt. McArthur's being tried
25 Sept. by a Court-Martial in this colony for the reasons that will be transmitted to His Majesty's Minister.

Adjutant Minchin will also deliver to Capt. McArthur the attested report given by Capt'ns McKellar and Piper respecting this duel with Lt-Col. Paterson.*

PHILIP GIDLEY KING.

[Enclosure No. 55.]

REV. S. MARSDEN TO RICHARD ATKINS, ESQ.

Sir, Parramatta, 22nd September, 1801.

Macarthur's
bail.

I presented the enclosed† to Captain McArthur. He desired me to acquaint you that he had no objection to give bail for his appearance at a Criminal Court when called upon, but that he will give no bond to keep the peace till an information is lodged against him on oath that he intends to break the peace.

I am, &c.,

S. MARSDEN.

[Enclosure No. 56.]

GOVERNMENT AND GENERAL ORDER.

23rd September, 1801.

Macarthur
continues
in arrest.

LIEUT.-COL. PATERSON and Captains Piper and Mackellar having entered into sureties for keeping the peace, agreeable to the Governor's Order of the 21st inst., and Capt'n John McArthur having not only refused to quit his arrest (directed by the General Order of the 15th and taken off by that of the 21st), but having also refused to give the security required by the Judge-Advocate and expressed in the General Order of the 21st inst.,—

Notwithstanding this defiance of the civil law and the King's authority, the Governor forgoes the line his duty points out, by committing him to the public jail until he gives the sureties required, on account and in consideration of his family.

A close
arrest.

In consequence of that officer's refusing to come out of arrest and giving security for his future peaceable behaviour, the indulgence the Governor allowed him, at his own request, of going about Parramatta, is, for the preservation of the King's peace, to be withdrawn, and he is to be placed under a close arrest.

His Majesty's service requires that Capt'n John McArthur do prepare himself to embark for England in the arrest he has thought proper to continue himself under.

PHILIP GIDLEY KING.

* See the reports of these two officers, Enclosures Nos. 36 and 37, ante, pp. 569 and 571.

† This Enclosure is not available. Doubtless, however, it was a letter addressed to Macarthur, similar to that from Atkins to Piper (Enclosure No. 46, ante, p. 566), framed on the Government and General Order of 21st September, 1801 (Enclosure No. 45, ante, p. 566).

[Enclosure No. 57.]

1801

CAPTAIN MACARTHUR TO ADJUTANT MINCHIN.

25 Sept.

Sir, Parramatta, 24th September, 1801.

I have to request you will inform Governor King that I all prepare myself with all possible dispatch to embark for England, in obedience to his Order of the 23rd; but as the voyage long and some perishable necessaries must be provided for it, I presume he will think it right to inform me as soon as possible what ship I am to go.

Preparing for voyage to England.

I also wish to be acquainted whether my arrest is intended to be so rigid as to prevent me from walking over my own grounds for the benefit of exercise and health, as a close confinement previous to the voyage I have to undertake must necessarily make me very unfit to embark on it.

Macarthur's arrest.

You will also have the goodness to require in my name that Governor King will be pleased to furnish me with a copy of the charges or representation that is to be made against me, that I may take such precautionary measures as are in my power for my defence.

Requires a copy of the charges.

I am, &c.,

JOHN MACARTHUR,

Capt., N.S.W. Corps.

[Enclosure No. 58.]

JUDGE-ADVOCATE ATKINS TO GOVERNOR KING.

Sir, 23rd September, 1801.

I am called on (as a magistrate) by your Excellency's letter of this day's date to give, in the most unequivocal and unreserved manner, every information in my power respecting Captain MacArthur's endeavouring to create dissention between yourself and the Lieutenant-Governor, commanding the N.S. Wales Corps, which has involved the officers in an unhappy dispute, and which has disturbed the tranquillity of this colony; and I am further called on to point out to your Excellency the means of substantiating the same, and to give you an account of that officer's conduct with respect to the public peace of this colony, that it may guide your future proceedings respecting him.

Macarthur's alleged machinations.

To the first part of your Excellency's enquiry I beg leave to say that I am not possessed of any authentic information, but the general report of the colony is that such an attempt has existed, and it is more than probable that that attempt may be substantiated by Messrs. Thompson and Grimes, who have been in the habit of visiting Captain MacArthur. The many conversations that have passed between them on the Government and general affairs of this colony will sufficiently prove the existence of such an attempt.

Rumour, not definite information.

My opinion on Cap'n MacArthur's general conduct is pretty well known. In the year 1796 I accused him of having been the promoter of all the "feuds and animosities" in this colony, and I

Atkins's opinion of Macarthur.

1801 have since that time had no reason to alter my opinion of that gentleman's conduct. The whole colony will bear testimony of the truth of my observations respecting him, that by his infamous and diabolical conduct, his rapacity in accumulating a large fortune in so short a time, his extortions on the industrious and laborious settler, which has plunged themselves and families in distress and misery, and considerably impeded the happiness and prosperity of this colony. These are facts notorious to any common observer. His conduct towards your Excellency's predecessor, Governor Hunter, is well known; unequivocal proofs are in the possession of H.M. Secretary of State.

25 Sept.

A heavy indictment.

Hunter and Macarthur.

The arrest absolutely necessary.

I could extend my observations much further; but as I shall have occasion to comment on that gentleman's conduct in my answer to the extracts communicated to me by your Excellency, I shall proceed to deliver it as my humble opinion that, unless he is sent Home as a common disturber of the public peace, and as a man who has most essentially injured H.M. service, this colony can never enjoy that happiness and prosperity it is H.M. wish that all his subjects should be partakers of, and which your Excellency is promoting in its fullest extent in this colony.

I have, &c.,

RICH'D ATKINS, J.-A.

[Enclosure No. 59.]

SURGEON THOMSON TO GOVERNOR KING.

Sir,

Sydney, 23rd September, 1801.

Thomson and Macarthur.

I received your Excellency's letter of this date, calling on me as a magistrate to give the most unequivocal and unreserved information I am able, how far Capt. John McArthur, of the New South Wales Corps, has endeavoured to create dissension between your Excellency and the Acting Lieutenant-Governor, commanding the New South Wales Corps, which has tended to involve the officers in the present unhappy dispute, and materially to affect the tranquillity of the colony and the good of His Majesty's service.

A plain statement

of Macarthur's action.

In answer to which, as I am thus called on, I consider it as a duty I owe to your Excellency, as well as to the public, to declare freely that Captain McArthur has endeavoured to create such dissension, and to assert it on the uncontrovertable evidence of his own words to me on the 1st inst., when he informed me that "in consequence of the correspondence which had taken place between the Governor and the officers respecting Lieutenant Marshall's address to the Governor, the officers had come to a resolution of cutting with the Governor, and that Colonel Paterson had assented to that resolution, but that, notwithstanding the Colonel had frequently been since at the Governor's, not on points of duty, as he was in coloured cloathes." He highly reprov'd this conduct of the Colonel, which he termed very pusillanimous. He also said

he himself had been brought into the business by the Colonel and another officer, who had now deserted him, and left him supported only by a very few, and as the Colonel had deviated from the resolution of withdrawing himself from the Governor he would assuredly let the Governor know what the Colonel had expressed, both in correspondence and opinion, respecting the Governor."

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25 Sept.

These, sir, if not the precise words, are the substance of what Capt. McArthur told me, in the presence of Mr. Grimes and Ensign Moore.

I must here observe to your Excellency that Colonel Paterson has frequently assured me that he never had assented to such resolution as alluded to by Capt. McArthur, but, on the contrary, had refused when urged to it by Captain McArthur. Paterson's disclaimer.

Pardon me, sir, if I express my own opinion that Captain McArthur, by thus exciting and fomenting a misunderstanding between your Excellency and the Acting Lieutenant-Governor, instead of endeavouring (if such a difference had existed) a reconciliation, certainly had no other motive than to create a dissension materially affecting the tranquillity of this colony, and highly prejudicial to His Majesty's service. Macarthur's motive.

I am, &c.,

JAS. THOMSON.

[Enclosure No. 60.]

THE REV. S. MARSDEN TO GOVERNOR KING.

Sir,

Parramatta, 24th September, 1801.

I have to acknowledge the receipt of a letter on service from your Excellency of yesterday's date, calling upon me, "as a civil magistrate, to give you in the most unequivocal and unreserved manner every information I am possest of respecting Captain John McArthur, of the New South Wales Corps, taking pains to create a dissension between you and the Lieut.-Governor, Col. Wm. Paterson, of the said Corps," to which I beg to return the following answer:—After the unhappy disputes which took place between Lieut. Marshall, of the Royal Navy, and Captains John McArthur and Edward Abbott, were settled in this country, and the proceedings of Lieut. Marshall's trial, with all the different documents and letters relative to it, that had past between your Excellency and the different parties concerned in that buisness, the whole of which I had been called upon as a civil magistrate to examine and attest; it evidently appeared that a violent breach was now between your Excellency and the officers of the Corps. Many of the officers began now [to] openly avow their sentiments, and to declare that they would not visit Government House in that friendly manner they had done, but only on duty. This appeared to be their fixed resolution at the time the Albion sailed for England in

Marsden and
Macarthur.

The officers' attitude toward the Governor.

1801 August last. It was expected that many who had made this resolution would not afterwards break it. Shortly after this I was informed by Captain McArthur that as soon as the Albion had sailed for Europe the Lieut.-Governor, Col. Wm. Paterson, had visited Government House in a friendly manner as usual, tho' he, the Lieut.-Governor, had, with himself and the rest of the officers, made a resolution not to visit Government House excepting on duty. I could make no reply to Captain McArthur's observation respecting the Lieut.-Governor's resolution not to visit the Governor but on duty, because I had never heard the Lieut.-Governor say anything on this subject, tho' I had heard other officers express their sentiments to that effect. Captain McArthur reprobated the Lieut.-Governor's treacherous conduct in visiting Government House in a friendly manner after what had taken place amongst the officers. Captain McArthur further said he would use every means he had in his power to be on friendly terms with the Governor, and exert his influence with the officers whose cause he had espoused to bring about a reconciliation between them and the Governor likewise. Captain McArthur also said that he, the Lieut.-Governor, had wrote one letter to Sir Joseph Banks reflecting on the Governor's public character, and another letter to His Royal Highness the Duke of York on the late trial of Lieut. Marshall; besides he, the Lieut.-Governor, had made use of improper language in the presence of the officers of the Corps, to the prejudice of the Governor's character also. Captain McArthur further declared his full determination to represent, the first opportunity he had, the whole of the Lieut.-Governor's deceitful conduct, and expose him to the Governor's displeasure. Captain McArthur made no secret of his intention to lay before the Governor whatever he knew the Lieut.-Governor had either written or said to the prejudice of the Governor's public character. I not only heard him declare his intentions, but I heard other officers speak of it, to whom he had made it known. I would observe, that having been called upon officially as a magistrate to write this letter, I feel myself fully justified in laying this statement of the above circumstances before you, as they have come within my own knowledge, from the unfortunate events which have already taken place, as well as from the following considerations. I am aware that not only the peace and tranquility of the Governor and Lieut.-Governor, but also the peace of the rest of the officers, both civil and military, would be very much disturbed by any dissention between persons in so high authority. Had any dissention taken place, and it been mentioned only for a short time, it would have greatly impeded the public service, by drawing away the attention of the officers from their respective duties, exposing them to danger, and keeping them engaged in constant quarrels.

I have, &c.,

SAMUEL MARSDEN.

25 Sept.

Paterson
and King.

Macarthur
and Pater-
son.

Divulging
private
letters.

Macarthur's
open con-
duct.

Marsden
speaks with
confidence.

[Enclosure No. 61.]

1801

SURGEON J. HARRIS TO GOVERNOR KING.

25 Sept.

Sir, Sydney Barracks, 25th September, 1801.

In answer to your letter to me of the 23rd instant, wherein I call upon me as a magistrate to give you every information I possessed of respecting Captain McArthur's attempts to create dissensions between you and the Acting Lieut't-Governor, rested was it in my power I would readily step forward in this any other matter that you might think proper to call upon me to render you every intelligence. But since my return from Hunter's River (in which period these unhappy disputes have been) I have not, directly or indirectly, held any communication with that gentleman or any other of his party on any subject of that tendency.

Harris cannot afford any information.

But that it is the common report that such attempts have been made by Capt. McArthur is notorious. Should anything occur on that subject I shall give you the earliest information.

Common report.

And am, &c.,

J. HARRIS.

[Enclosure No. 62.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir, Sydney, 25th September, 1801.

I have the honor to acknowledge the receipt of your Excellency's letter of the 23rd instant, wherein you state that having learned that some pains have been taken by Capt. McArthur, of the New South Wales Corps, to create dissension between you and myself, which has involved the officers in the present unhappy dispute, and in which the tranquillity of the colony is materially concerned, as well as the furtherance or dereliction of His Majesty's service, and wherein you call upon me to give, in the most unequivocal manner, every information I possessed of on that head, and to point out the means, as far as my knowledge extends, to substantiate the same."

Pateron and King.

After closing the papers respecting the trial of Lieut't Marshall and the depositions of four other officers of the New South Wales Corps and myself, who sat on that trial, I concluded the business as finally settled until an answer arrived from England; but having seen that a correspondence, more of private than public nature, between your Excellency and Capt. McArthur had commenced, and in which he expected the support of myself and the other officers, I rejected having anything to do with it, conceiving it totally foreign to the trial in which I had been concerned, and owing to a misunderstanding between your Excellency and myself. And on the day the Albion sailed for England, by which conveyance the papers were sent, Capt. McArthur informed me that he believed the officers were unanimous in withdrawing themselves

Lieutenant Marshall's trial.

Pateron's version.

1801 from the Governor's, and asked me how I meant to act. I replied to Capt. McArthur that my situation in the colony made it requisite for me to have frequent communication with the Governor on public business, both civil and military, and as I had perfectly justified myself in my own mind on the point wherein I felt hurt respecting your Excellency's circular letter on Lieut't Marshall's trial, I saw no reason why I should not continue to visit you as formerly. As this conversation took place only between Capt. McArthur and me I cannot substantiate it by any evidence, but my sentiments on this subject are well known to Capt. MacKellar, Lieut. Hobby, and Mr. Thomson, who have heard me express my opinion on this head frequently. And further, with respect to Capt. McArthur having taken some pains to create dissention between you and me, having failed in my joining a party to withdraw from your house, I have every reason to believe from the circumstance of your being made acquainted with particular paragraphs in my private as well as public letters, wherein Capt. McArthur, as my confidential friend, at that time assisted me, living in my house on terms of friendship and hospitality, that he did by agents or otherwise give you such information respecting my letters as he thought would tend as much as possible to create dissention between us, and which was given for this express purpose; and this Capt. McArthur declared he would do, in the hearing of Mr. Thomson.

I have, &c.,

W. PATERSON.

[Enclosure No. 63.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sydney, 25th September, 1801.

Macarthur's voyage to England. LIEUT.-COL. PATERSON will direct Adjutant Minchin to inform Capt. McArthur, in answer to his letter of yesterday's date, that as soon as I have determined by what conveyance Capt. McArthur is to be sent to England he will be informed of it. It is at present intended to send him by the Anna Josepha brig to the Cape, unless Capt. McArthur should prefer going by the Earl Cornwallis, by way of India, of which I wish to be informed as soon as possible.

Extent of the arrest. Capt. McArthur's refusal to give security for keeping the peace totally precludes me, as conservator of that peace, from making any alteration in the confinement Capt. McArthur has thought proper to continue himself under, as stated in the General Orders of the 23rd inst., except the liberty of his garden and outhouses attached to his dwelling at Parramatta, which Capt. MacKellar and Colonel Paterson will be charged to avoid.

Charges to be sent to England. Adjutant Minchin will also inform Capt. McArthur that the seconds' reports on his duel with Lieut.-Col. Paterson, the General

orders and messages consequent thereon, together with duplicates of the papers sent by the Albion, will be transmitted to His Majesty's Principal Secretary of State for the Home Department; so a representation of the reasons I have for being persuaded at Captain John McArthur has intended to create a dissension between me, as the Governor, and Lieut.-Col. Paterson, Acting Lieut.-Governor, commanding His Majesty's Forces in this colony, whereby His Majesty's service and the colony has been materially injured.

1801
25 Sept.

PHILIP GIDLEY KING.

[Enclosure No. 64.]

SURVEYOR C. GRIMES TO GOVERNOR KING.

Sir, Sydney, 25th September, 1801.

In answer to your letters of this date, to the first I have already answered that Captain McArthur never did in my presence endeavour to create dissensions between your Excellency or the Acting Lieutenant-Governor and the officers, nor do I know of any steps taken by Captain McArthur for that purpose.

Grimes's
opinion.

In answer to your first question in the second letter, "Whether Captain McArthur did not say before me that the officers, and the Colonel amongst the number, had come to a resolution to cut the Governor," I positively answer that I do not recollect any such assertion.

Exonerates
Macarthur.

To the second part of the question, "If Captain McArthur I say that he was brought into the business* by the Colonel and other officers who had deserted him," I remember the remark perfectly.

To the question, "If Captain McArthur had said he had thrown down the gauntlet and let Governor King take it up, adding that he would make his life miserable," I never heard the expressions, nor can I recollect that Governor King's name was mentioned—at least, I can with confidence assert, not disrespectfully.

King and
Macarthur.

In a conversation this morning I mentioned my recollection of conversation respecting throwing down the gauntlet. On thinking further on the time it happened, it is of a more recent date than the 1st inst., nor did it then or now appear to me that Captain McArthur alluded to your Excellency.†

A correc-
tion.

I am, &c.,

C. GRIMES.

Marginal note by Governor King (in red ink):—"On interrogation, Mr. Grimes says, business then going forward. Surely this is a great contradiction."

Marginal note by Governor King (in red ink):—"Mr. Grimes says, in the preceding p^a, that he never recollected the expression, and in this he says he does recollect it."

1778

HISTORICAL RECORDS OF NEW SOUTH WALES.

1801

[Enclosure No. 65.]

Adm. Dept.

LIEUTENANT HOBBY TO GOVERNOR KING.

Sir,

Sydney, 25th September, 1801.

Witnessed
between
officers.

I have to acknowledge the receipt of your Excellency's letter of the 28th inst. stating that you were acquainted that Captain McArthur had taken some pains to create a dissention between yourself and Lieut.-Col'l Paterson, Commanding Officer of the New South Wales Corps, and calling on me as a British officer to give you in the most unequivocal and unreserved manner every information I am possessed of on that head, and to point out (as far as my knowledge extends) the means of substantiating the same.

Witness
between
officers.

Since the trial of Lieut. Marshall, and prior to the unfortunate duel that took place between Lieut.-Col'l Paterson and Captain McArthur, I heard Captain McArthur express his disapprobation of Lieut.-Col'l Paterson having any intercourse with your Excellency further than what his duty as Commanding Officer required.

Witness
between
officers.

I can also recollect Captain McArthur saying that he had asked Mrs. Paterson if she and the Colonel meant to visit at the Governor's, and that he said he was answered in the affirmative. Captain McArthur further remarked that if that was their determination Mrs. McArthur should not visit Sydney. Captain McArthur likewise said that he had spoken to the Colonel on the subject, and that if he did not take his advice that he must take upon himself the consequences that might follow.

Captain McArthur asked me (at his own house, about a week before the duel took place between him and Col'l Paterson), "If you are asked to dine at the Colonel's in company with the Governor, what do you mean to do?"

Witness
between
officers.

I have no mode of substantiating the above further than my own declaration.

I have, &c.

THOS. HOBBY,

Lieut., New South Wales Corps.

[Enclosure No. 66.]

CAPTAIN MCKELLAR TO GOVERNOR KING.

Sir,

Sydney, 25th September, 1801.

Witness
between
officers.

Being called upon by your Excellency to relate what I know of Captain McArthur, of the New South Wales Corps, taking some pains to create a dissention between your Excellency

and the Acting Lt.-Governor, commanding the New South Wales Corps, which has involved the officers in the present unhappy dispute, and in which the tranquillity of the colony is materially concerned, as well as the furtherance or hinderance of His Majesty's service, I have to inform your Excellency that Captain McArthur told me the Colonel ought not to visit the Governor, and that he would speak to him about it. It comes likewise within my knowledge that he advised other officers to the same effect. Some followed and others rejected his advice.

1801

25 Sept.

McKellar's
evidence.

I have always heard Lt.-Col. Paterson say that he would visit the Governor as formerly.

I have, &c.,

N. MCKELLAR.

[Enclosure No. 67.]

CAPTAIN MACARTHUR TO ADJUTANT MINCHIN.

Sir,

Parramatta, 27th September, 1801.

By the paper* you transmitted to me, dated the 25th inst., I learn that the statement of the seconds on the affair of the 15th inst. is to form a part of the representation against me to His Majesty's Ministers; and as I am accused in Capt. Mackellar's statement of divulging private and public correspondence and private conversations, it is necessary I should be informed what conversations and what correspondence I am accused of divulging, and to whom I am said to have divulged them, because, without such a specification, it is impossible to provide myself with the necessary evidence for my defence. I must therefore request you will be good enough to inform Gov'r King that I require this information, and that I hope he will be pleased to direct Capt. Mackellar to furnish it immediately.

Charges
ought to be
particular-
ised.

I am, &c.,

JOHN MACARTHUR.

[Enclosure No. 68.]

CAPTAIN MCKELLAR TO GOVERNOR KING.

Sir,

Sydney, 29th September, 1801.

In obedience to your Order, I have to inform you that the private and public correspondence was disclosed by Capt. McArthur to Mr. Marsden, and likewise the private conversations, to whom he told "that Lt.-Col. Paterson had written one letter to Sir Joseph Banks reflecting on the Governor's public character, and another to His Royal Highness the Duke of York on the late trial of Lt. Marshall; besides he, the Lt.-Governor, had made use of improper language in the presence of the officers of the Corps to

The
particulars
supplied.

* This paper is not available.

1801
Sept.
Divulging
private
communica-
tions.

the prejudice of the Governor's character. Capt. McArthur ther declared his full determination to represent, the first opportunity he had, the whole of the Lt.-Governor's deceitful conduct and expose him to the Governor's displeasure. Capt. McArthur made no secret of his intention to lay before the Governor whatever he knew the Lt.-Governor had either written or said to prejudice of the Governor's public character."

To Mr. Thompson he declared "that he would let the Governor know what the Colonel had expressed, both in correspondence of opinion, respecting the Governor."

I have, &c.,

N. MACKELLAR

[Enclosure No. 69.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 29th September, 1801.

Paterson's
reply.

I had the honor to receive yours of the 21st, and I am extremely concerned that the steps I have taken with Capt. McArthur, in vindication of my conduct as an officer and gentleman, should have incurred your disapprobation; but I am certain that when I disclose to your Excellency that officer's perfidious behaviour towards me that it will greatly extenuate my irregularity on that occasion, and from the circumstance of Capt. Abbott and Captain Piper, Ensign Piper and Ensign Minch having withdrawn themselves from my house from the time I refused to connect myself with Capt. McArthur against you, was evident that some means had been used to prejudice the minds of these officers against me; and had I brought Capt. McArthur to a Court-Martial for disrespectful and contemptuous aspersions on my character, I could not expect due candour from those officers under such influence. This, and Capt. McArthur avowing to disclose my private and public letters to Mr. Marsden and Mr. Thomson, and from some occurrences of a private nature which hurt my feelings as poignantly as those on which I was attacked in my public capacity, particularly a letter from Mr. Paterson to Mrs. McArthur, who had been affectionate friend for twelve years, and which was written under the same kind of intention and idea. This letter Capt. McArthur read to different persons, putting the most ungenerous and ungentlemanly interpretations on its contents, and such as he wish'd might tend to give an appearance of a breach of hospitality on the part of Mr. Paterson, and likewise telling Mr. Jamieson, the Superintendent, that it was probable Mrs. Paterson would use her influence with Mrs. King to prejudice the Governor against Capt. McArthur. These illiberal, unprovoked, and unjust assertions, urged by a detestation of his conduct throughout the whole business, obliging

Disagreement
amongst
officers.

Reason for
not Court-
Martialling
McArthur.

Divulging
private
letters.

me to call upon him for that satisfaction I, as an injured man, had a right to expect, and which, from the particular situation I was placed in with some of the officers, I had no other mode of obtaining. These reasons will, I trust, have some weight for my acting by Capt. McArthur as I have done, and plead some excuse for deviating from the exact line of military discipline.

I have, &c.,

W. PATERSON.

[Enclosure No. 70.]

LIEUTENANT HOBBY TO GOVERNOR KING.

Sir,

Parramatta, 5th October, 1801.

I beg leave to acquaint your Excellency that about 4 o'clock on Saturday evening last Sergeant Bayless informed me that the constables had seized from him two gallons and a half of spirits that he had been directed to fetch from Mr. Cox's, as a present from Captain McArthur to the detachment. I desired him to go for the constable that I might enquire into it, which he did, and I found it was a lawfull seizure, Sergeant Bayless not having taken the precaution to procure a permit.

A five minutes after this, myself and Ensign Moore saw a number of men running up the street, some of them armed with large sticks. We called after them, desiring them to come back. At first they paid no attention to us, but upon repeating our call one of them (Daniel Curry) stoped; the others dispersed in different directions. We walked up to Curry, and I asked him where they were all running to. He said they were going to get the spirits that the constables had seized. I then asked him in what manner they meant to recover it—by peaceable means or by force. He answered me by peaceable means if they could, otherwise by force.

I ordered Curry to be confined, but was induced to release him the next morning, as he appeared sensible of the impropriety of his conduct.

On Saturday evening, Ensign Moore informed me that Captain McArthur was going to give the detachment one pound of meat, one pound of wheat, and a gill of spirits to each man on the following day, and that the spirits in question was intended for that purpose.

I have, &c.,

JNO. HOBBY.

[Enclosure No. 71.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

7th October, 1801.

LIEUT.-COLONEL PATERSON will direct that Captain McArthur be informed that I cannot but greatly disapprove of a dinner and

1801
25 Sept.
Reason for
challenging
Macarthur.

Seizure of
spirits.

An
attempted
rescue.

Macarthur
and the
soldiers.

1801
25 Sept.
Macarthur
entertains
the detach-
ment.

spirits being given to the detachment at Parramatta by him, in his present situation, without the previous permission of the Commanding Officer of the regiment, or at least of the officer commanding that detachment, the consequences of which (in the soldiers sallying forth with sticks, &c., to rescue the spirits by force from the constables who had seized it lawfully) would have been such, had it not been critically prevented by Lieut. Hobby and Ensign Moore, as to throw this colony into the greatest confusion.

Captain McArthur will also be informed that I require he does not give any more spirits to the detachment, or otherwise interfere with any part of it.

PHILIP GIDLEY KING.

[Enclosure No. 72.]

ENSIGN MOORE TO LIEUTENANT-COLONEL PATERSON.

Sir, Parramatta, 30th October, 1801.

Circum-
stances of
the seizure.

According to your request, I shall relate the affair of the spirits being seized from Sergeant Bayliss by the constables as minutely as I possibly can.

On Saturday, the 5th of this month, I was in company with Lieut. Hobby, when Sergeant Bayliss came and informed us that one of the constables had seized two gallons and a half of spirits from him, that he had been desired to fetch from Mr. Cox's, as a present from Captain McArthur to the detachment. Lieut. Hobby desired Sergeant Bayliss to go for the constable that he might inquire further into the business; the constable returned with Sergeant Bayliss, and proved that it was a lawfull seizure, Sergeant Bayliss not being provided with a permit.

Soldiers
attempt to
rescue
spirits from
constables.

A five minutes after this we saw a number of the soldiers running up the street, some of them with large sticks in their hands. Both myself and Lieut. Hobby called after them, desiring them to come back. At first they appeared to pay no regard to us, but upon repeating our call, one of them (Daniel Curry) stopped, and the others walked away in different directions. We went up to Curry, and Lieut. Hobby asked him wither they where all running to. He answered they where going to gett the spirits the constables had seized. Lieut. Hobby then ask'd him in what manner they meant to get it—by peaceable means or by force. He said by peaceable means if they could, otherwise by force. Lieut. Hobby ordered him to be confined.

The above is the whole of the circumstances.

I have, &c.,

WM. MOORE

JUDGE-ADVOCATE ATKINS TO GOVERNOR KING.

1801

29th September, 1801.

29 Sept.

I AM favoured by your Excellency's directions with some extracts from a letter signed by Lieut.-Col. Patterson, commanding the N.S. Wales Corps, and addressed to General Brownrigg, Secretary to H.R. Highness the Duke of York;* and as your Excellency has been so good as to afford me an opportunity of delivering my sentiments on them, which you have been pleased to say shall be transmitted to England, I will avail myself of that valuable indulgence.

Paterson's
letter to
Brownrigg.

It is unnecessary for me to enquire, nor will I even conjecture by what means your Excellency became possessed of a letter which is evidently a dark and insidious act, and results from the malevolence of a character who has on many occasions sought to disturb the tranquility of this colony; nor need I hesitate to say that the person I allude to is Captain John McArthur, of the N.S. Wales Corps, whose intrigues and transactions, so dangerous to the prosperity of an infant colony, were but too well known to your Excellency's predecessor, Governor Hunter, and will be remembered with the highest indignation as long as this colony exists.

An attack
on King.

What influence Captain McArthur might have used with Lieut.-Col. Patterson to father a production of this nature is best known to himself; but from the general liberality of manners and sentiment I should not have expected the Colonel would have been the agent of any party, particularly in such a secret and undermining an attack on the first civil officer in the colony, appointed by your Excellency.

Macarthur's
influence
over
Paterson.

And here I beg leave to refer to a letter† I had the honor of addressing to you some short time since, on the very critical situation of the Judge-Advocate, whilst presiding at a Criminal Court of Judicature. As this letter was the consequence of some then existing circumstances which Cap. McArthur (for I must still consider it as his malevolent production,) has found it convenient to advert to: I mean the trial of Lt. Marshall.

The Judge-
Advocacy.

This letter will effectually answer, and I flatter myself will defeat many of the allegations contained in that of Col. Patterson's, for it will appear, however high the integrity, honor, or ability of the Judge-Advocate might be, and however extensive his legal knowledge, it will clearly demonstrate that he has not the power of controuling or even modifying the opinion of the members of the Court.

His powers
and duty.

* See Paterson to Brownrigg, 24th August, 1801, ante, p. 507.

† See Atkins to King, 19th August, 1801, ante, p. 400.

1801
20 Sept.
Censure on
Atkins.

Your Excellency will observe that in the censure which has been thus levelled against me, the same turbulent spirit of opposition shews itself in calling into question the legality of your commands respecting the proceedings on Lt. Marshall's trial. H.R. Highness is requested to use his influence to have some gentleman appointed to the office of Judge-Advocate who, among other qualifications, might have weight enough with the Executive power to restrain it from improper interference. Whosoever my successor might be, whatever power he may wish to have over the Executive power here, for myself I shall never endeavour to oppose or resist the legal commands of that Governor under whom I have the honor to act, but shall, from a conviction of their propriety, feel the highest satisfaction in obeying them.

An
imaginary
evil.

If the officers of the N.S. Wales Corps who complain that they have been left alone to maintain on unequal ground the propriety of their conduct, had not themselves furnished grounds for that inequality, it would never have been shaped into a complaint, but have remained what it really was—an imaginary evil.

Lieut. Grant's (of the Royal Navy) opinion and my own on the trial of Lt. Marshall, submitted to the majority, formed by the military officers, and them only, that carried the resolution of that day.

Attack on
Atkins's
private
character.

The last extract, which attacks my private character (and in the same manner as the others, in the dark), is almost too insignificant to deserve any reply. If, after having served H.M. as a military officer at home; if, after having been a magistrate for nine years in this colony, and having acted as Judge-Advocate a considerable time after Cap. Collins's departure, in all which situations the most industrious and busy voice of calumny could never stain my professional conduct; if, after having received the approbation of my brothers, the late Admiral and present Genl Bowyer on that conduct, I trust your Excellency's suffrage (so highly valuable to me,) will not be wanting. It is true I may have prolonged the convivial hour too far, but it never interfered with my professional line of duty. It is well known I never acquired riches in this colony, nor have I any "compunctious visitings of mind" to answer; and, permit me to observe, few in this colony can say as much.

He defends
himself.

I have thus troubled your Excellency with my sentiments, not so much for my own justification, for I do not feel that I am called on to make any, but to expose the malignancy of the attack, and the consummate treachery of the hand that directed it.

I have, &c.,

R'D ATKINS,
Judge-Advocate.

SHIPPING RETURNS.

585

SHIPPING RETURNS.

A List of Ships and Vessels which have entered Inwards in the Harbour of Port Jackson, in His Majesty's Colony of New South Wales, between the 30th day of June, 1801, and the 30th day of September following, with the particular quantity and quality of the lading of each vessel.

Time of Entry.	Ship's Name.	Master's Name.	Built.	Tons.	Guns.	Men.	Where and when built.	Where and when registered.	Owner's Name.	General Cargo.	From whence.	Where and When Bond Given.
1801. 10 July	Harriot	S. Chace	Foreign	227	6	2	Prize taken May, 1797.	London, 24 July, 1797.	T. & J. Mather	General mer- chandise.	London	Sidney, 1801. 10 July.
11 "	Speedy	G. Quested	British	313	"	24	London, 1773.	London, 22 Oct., 1791.	Enderby & Co.	72 tons sperma oil.	Whaling	8 Jan.
28 Aug.	Venus, brig	C. Bishop	Foreign	142	8	20	Bengal	London, 8 Nov.	Bass, Bishop, & Co.	General mer- chandise.	London	23 Aug.
31 "	Hunter, bark.	Win. Anderson	Do.	300	8	50	Batavia	Calcutta, 7 April, 1801.	Messrs. Camp- bell & Co.	do.	Bengal	31 "
8 Sep.	Nautilus	R. Simpson	Do.	60	14	19	Calcutta	Fort William, 11 March, 1796.	Rt. Berry	do.	China	8 Sept.
16 "	Venus	E. Gardner	Do.	235	10	24	Deptford, 1788.	London, 31 Dec., 1800.	Messrs. Cham- pions.	do.	London	16 "

W. BALMAIN, Naval Officer.

1801

30 Sept.

List of ships
entered
inwards
at Port
Jackson.

1801 GOVERNOR KING TO MARQUIS WELLESLEY. (King Papers.)

2 Oct. My Lord, New South Wales, 2nd October, 1801.

I had the honor of receiving your Excellency's Despatch in Council by the Hunter bark, dated 18th December last.*

I hope my several letters by the Trimmer, Anne, and John have arrived.† Duplicates thereof I have the honor to enclose, from which it will appear I have paid the utmost attention to your wishes respecting the prevention of convicts, and those who ever have been convicts, going in ships bound to India; and the masters giving penalty bonds for such of the latter description as may go from hence.

Escapes to India.

A dishonest captain.

His false statement.

Intercourse with India.

Emigration to India.

The conduct of Wm. Hingston,‡ mentioned in your Excellency's letter, has been so extremely dishonest, that I have directed the proprietor of the ship Hunter (which he was entrusted with) to state his case in the enclosed affidavit, by which you will perceive that the representation he made respecting having Governor Hunter's leave to return here with a cargo from Bengal, was framed to serve his own purpose, as he had no other authority than to touch at New Zealand for a cargo of masts, and to sell the ship at Bengal as a prize. In this place it is necessary I should possess your Excellency of that article of His Majesty's instructions relative to vessels not being allowed to have any intercourse with India from hence, and when I assure your Excellency of my strict adherence to that instruction, I hope no faith will be put in the declaration of any people who may eventually take any vessel from hence without my permission in writing, which will never be granted except in such cases of necessity as are at present unforeseen.

I feel much obliged to your Excellency's wish to promote the interests of this colony, and you may rest assured that no exertion shall be wanting on my part to prevent the emigration of any description of people from this colony to any port of India.

I am, &c.,

PHILLIP GIDLEY KING

GEORGE BASS TO HENRY WATERHOUSE.

Venus,§ Port Jackson,

4th October, 1801.

4 Oct.

My dear Friend,

The whaler Venus.

The Venus, whaler, bro't me yours of Feb. 21, and with it and its accompaniments much solid satisfaction.

* Ante, p. 271.

† The letters by the Trimmer and John will be found on pp. 237 and 410 ante; that by the Anne (which sailed in July, 1801) is missing.

‡ William Hingston was master of the Hunter—ante, p. 272. The enclosure is not available.

§ The Venus, in which Bass sailed on a commercial voyage to Port Jackson, was purchased by a company, of which he and his father-in-law were both members. The advertisement of its sale at Lloyd's Coffee House, Cornhill, London, September 18th, 1800, to which reference is made on p. 420 (note), ante, ran thus:—"About 140 tons measurement; square-sterned, with a figure-head and sham galleries; built in one of the settlements of the Hon. East India Company in India) with teak, sheath'd with wood and copper'd; she is double deck'd

A conveyance by way of Bengal occurs ; I shall not, though a bad one, let it pass me. I wrote from Brazil, from Cape G'd Hope, which last we left July 4th, and arrived here August 29th, all well. 1801
4 Oct.

We came through Bass's Strait, and found a good and perfectly safe passage. Bass Strait.

Everything went on well until we arrived here, and since all things have gone bad. This market is glutted with goods beyond all comparison ; glutted even on two accounts, a natural glut from the quantity of goods far exceeding the consumption, and glutted also because the new system of government is built upon a plan of the most rigid economy. It issues very little or no bills. A glutted market.

We can sell but very little of our cargo here, and what we do sell is but to very little advantage. Our wings are clipped with a vengeance, but we shall endeavour to fall on our legs somehow or other. Our dear Bess talks of seeing me in eighteen months ; alas, poor Bess, the when is uncertain, very uncertain in everything but its long distances. Turn our eyes where we will we see nothing but glutted markets around us. I had hoped that Gov'r King might have been induced to take our cargo into Government store, and have offered it, or any part of it, at 50 per cent. ; he declines it for want, he says, of sufficient authority. He takes some of our beef and pork at a price, but does little more than pay us our own again. A bad speculation.
Gloomy outlook.
Small profits.

We go from hence among savages ; we are tired of civilized life. Our brig is fitting with the necessary barricades and other securities ; when they are completed we shall sail. In eight or ten months I think we shall return here, and try our luck a second time. Arming the Venus.

I stop further writing because the colours are up at the South Head for a large ship ; this ship may be Flinders, with fresh news of Tichborne-street. A ship signalled.

from stem to stern, and fitted to mount 12 carriage guns ; her masts and many of her principal yards are also teak ; her stores of every denomination are in very excellent condition, particularly her cables ; she is reported to sail extremely fast, and is one of the most complete, handsome, and strong built ships in the River Thames, and will suit any trade ; now lying at the Swinging Chain of East Lane." The purchase of the Venus being effected, a cargo was prepared for investment in the New South Wales trade. Some sums invested are thus stated in the papers preserved by Mr. Pownall, solicitor, Russell Square, the grandson of Mr. Waterhouse :—" Thomas Jameson, £2,705 ; William Kent, £1,686 ; James Williamson, £925 ; James Innes, £150 ; William Waterhouse, £800 ; Robt. Barry, £1,500 ; James Crichton, £1,500 ; Sarah Bass, £200 ; Sarah and Eliza Bass, £120 ; D'l May, £500 ; Robt. Scott, £260 ; Wm. Bishop, £444 ; and Wm. Waterhouse, £150. The total capital invested was £10,890." One paper is a letter to Mr. Waterhouse :—

" Sir,—You hold in the brig Venus, of London, Chas. Bishop, comm'r, now bound on a voyage to the South Sea, and also in her cargo, the sum of nine hundred pounds sterling.

(Signed),

GEO. BASS, Supercargo and Managing Owner.

CHARLES BISHOP, Commander.

GEORGE BASS, 2nd Commander and Supercargo.

ROBT. SCOTT, Chief Mate.

And 15 others."

The ship was insured for £7,650 at the rate of four guineas per cent., for Botany Bay, Port Jackson, or all or any ports or places in New South Wales, New Holland, Van Diemen's Land, or in the islands adjacent. See the agreement between King and Bass and Bishop, 9th October, 1801, post, p. 591.

1801 The new arrival is the Porpoise from Otaheite with salted pork.
 4 Oct. The Governor has made us some offers of going there upon the
 The Porpoise same business, which we shall close with if likely to prove at all
 from advantageous to us, for we wish much to while away some twelve
 Otaheite. or eighteen months until markets mend. With kind compliments
 to Mrs. Waterhouse and all your family, believe your very sincere
 and affectionate friend,
 GEO. BASS.

CAPTAIN ROWLEY TO HENRY WATERHOUSE.*

Sydney, New South Wales,
 4th October, 1801.

My dear Waterhouse,

Stolen
 presents.

The Pater-
 son-Macar-
 thur duel.

Macarthur's
 conduct.

King's
 advice.

Complica-
 tions.

The origin
 of the
 embroglio.

Yours I rec'd the 16th of Sept., by the *Venus*, whaler, which is the first I rec'd from you since your departure from hence. It appears by your letter you had wrote to me before, and that you had sent some trifles for the children. I do assure you I never rec'd either letter or articles for them; therefore, I will thank you if you will inform me what they were, how packed, and in what ship, and if directed for me. I should be extremely glad to get to the bottom of such rascality. My dear fellow, here is nothing but wars and rumours of wars here. It began just before Bunker† sailed the 25th of August last, which you will hear a good deal of news by him; but since his departure, here is — to pay. McArthur and three or four more is off with King; the Colonel and McArthur has had a duel the 14th Sept. last; the Col'l rec'd a shot in his arm, and the ball still remains; by what I can learn of the business is this, that Col'l Pat. wrote to Sir Joseph Banks something about King's conduct, and intrusted McArthur to correct it, and a little time after, McA. not liking Col'l Pat.'s conduct, and the torrent running rather against himself, wanted to turn the tables on poor Pat. by making this letter known to the Gov'r and others (a noble action). Pat. heard of it, and took the letter to the Gov'r, who had heard of the scheme before, and took Pat. by the hand and advised him to chuse a better confidant in future. McArthur is ordered to England under arrest, and sails next Sunday. Piper was under an arrest and to be sent Home for being McA.'s second, but is respited. McKellar was also confined for being Pat.'s second, but is released and going to England to prosecute McA.; but it is my opinion McA. will get the better of them, because the Col'l called him out. All this business originated through a Lieut. Marshall, of the Navy, who came here as Navy Agent in the *Cornwallia*. McA. and him had some words, and they were to have a meeting. Marshall whent to the place appointed, and nobody come. Abbott objected to Marshall's second, by seeing him behind the counter,

* A private letter.

† Bunker was the captain of the *Albion*. She sailed for England on 28th August, 1801, with 155 tons of sperm oil, and carried the Governor's despatches of 21st August, 1801.

but he was the purser of that ship, and a very gentlemanly young man ; and after Lieut. M. had waited a long time on the ground, and no one coming, marched in to town, met Abbott and gave him the — *of a lick with a thick stick*. He was brought to a Criminal Court for it and sentenced fine and imprisonment ; but the Gov'r sent him home with Bunker, which as caused all this bustle. The Gov'r and the officers of the Court have been busily employed writing against each other. I am out of the mess. I have been in the sick-list ever since last Jan'y.

1801

4 Oct.

Official
differences.

Respecting my Norfolk Island command, I have only to say that the settlers and the principal inhabitants wrote a joint letter to the Gov'r expressing their sorrow of my being relieved, and the Gov'r has worded my certificate at the latter end in the following words : " I think it wright to add that from every account I have rec'd from thence that Captain Rowley's conduct in administering the Government of that Island was much to his credit and the advantage of Government." I am a £1,000 the worse for going to that island, and stock his fell near a £100 per cent.—no money to be got. I have your grant all registered. I have your sheep, but your mare is at Cox's ; she has just foaled ; I cannot yet tell what she is. When you sailed from Norfolk you gave Drummond a draught on me for £4 14s. 10d., which was not settled. Bob Campbell is married to Palmer's sister, and settled £200 a year on the morning of marriage, in case of death. A good trip to Botany. All my children is very well, and desires to be kindly remembered to you. Abbott sailed this morning for Norfolk Island. The Gov's as divided them properly. God bless you. Adieu, and believe me to be, with truth,

Norfolk
Island.A popular
command-
ant.

Gossip.

Yours, &c.,

THOS. ROWLEY.

GOVERNMENT AND GENERAL ORDER.

7th October, 1801.

7 Oct.

No spirits are to be removed but by permit, as pointed out in former Orders ; and if any are passed without that permit the person giving it will on conviction before a magistrate be fined five pounds to the Orphan Fund. No less quantity than half a gallon to be charged the 6d. for the permit.

The receipt of a quantity of salt pork from Otaheite by His Majesty's ship Porpoise will allow of a full ration of pork being issued in pork weeks.

Pork from
Otaheite.

PHILIP GIDLEY KING.

LIEUT.-COLONEL PATERSON TO THE RIGHT HON. HENRY DUNDAS.

Sir,

Sydney, New South Wales, 8th October, 1800.

8 Oct.

His Excellency Governor King having acquainted me that he has represented to His Majesty's Ministers that the present circumstances of the colony require an augmentation of the

Augmenta-
tion of the
New South
Wales Corps.

- 1801 military force, both in officers and men, I have taken the liberty, sir, to remind you that when I was in England I had the honor to give in a plan for raising a corps by enlisting in this country men of good character whose terms of transportation were expired.*
- 8 Oct. Paterson's claims. If it should be judged necessary to make the augmentation proposed, I trust my long services in India and New South Wales, and my particular knowledge of the people, will have some weight in recommending me to you, sir, as an officer not undeserving or ineligible to be employed in raising such a number as might be thought necessary for forming another corps.
- Efficient recruits. If the corps were to consist of four companies, one hundred men each, I would undertake to raise two companies here without any expense to Government. If I might be considered worthy the honour of being promoted to the command of it, and be indulged with the disposal of the Commissions of one company, I would pledge myself that the men I should enlist were able and active soldiers, and such as might be depended on for good behaviour on any service in which it might be His Majesty's pleasure to employ them on.
- Advantage of Colonial recruiting. The very great saving of raising men in this country you, sir, will instantly notice, as the simple expense of conveying two hundred soldiers from England would be at least five thousand pounds, to which, if they were to be recruited at home, would be to be added their bounty and a variety of other contingencies, and the men so raised, I am confident, could not be more depended on than those I should procure here.
- Dis-interested motives. I beg to assure you, sir, I am actuated by an earnest desire to promote the good of His Majesty's service as much as with a view to my own individual advantage, and this, I trust, will plead my excuse for taking the liberty to trespass on your time with this address.
- I have, &c.,
W. PATERSON,
L't-Col., N.S.W. Corps.

GOVERNMENT AND GENERAL ORDER.

- 9 Oct. 9th October, 1801.
- A Government publication. A PRINTED abridgment of certain General Orders from the 28th of September, 1800, to the 8th of October, 1801, are distributed for the purpose of reminding the inhabitants at large of those Ordinances, which are to be placed in some conspicuous part of the houses of such as they are sent to.†

PHILIP GIDLEY KING.

* See vol. iii, p. 640, also p. 230, ante.

† This is remarkable, as being the first book printed or published in Australia. A few copies of it are still extant, and greatly prized by collectors.

EXPORTATION OF PORK.—AGREEMENT BETWEEN GOVERNOR KING 1801
AND MESSRS. BASS AND BISHOP.

9th October, 1801.

9 Oct.

EXCLUDED and agreed upon at Sydney, in New South Wales, on the 9th October, 1801, between His Excellency Governor King, on the one part, and Messrs. Bass and Bishop, merchants, on the other. An agreement

1. That the brig *Venus*, belonging to Messrs. Bass and Bishop, shall proceed to the South Sea Islands, and there endeavour to procure a cargo of salted pork, of which are to be excluded the heads, feet, and flays of the pigs, they engaging to touch at no port of Otaheite except Matavia Bay, nor to dispose or make presents of more than twelve muskets, twenty pounds of gunpowder, and fifty pounds of ball, which are not to be given to any other persons than those whom Otoo or Pomarré may allow to purchase them. relative to the importation of salt pork.

2. That His Excellency Governor King, on the part of His Majesty, engages to purchase the whole cargo of pork so put up, as much of a cargo as they may bring to Port Jackson, at the rate of sixpence per pound sterling, to be paid in a bill upon the Exchequer of the Treasury, agreeable to the weight of the pork at the time it is received into Government's stores, provided it is well cured and full of pickle. Price agreed upon.

3. That as the *Venus* has a cargo of goods now on board destined for other markets, Governor King shall allow of that cargo being put in one of Government's stores free of all charges (except the usual charge of wharfage to the Orphan Fund) until the contract hereby entered into shall expire and the *Venus* is ready to proceed on her intended voyage to other markets, the owners of the goods to answer for risks and losses of all kinds; and no one person, specified by the owners for this purpose, being allowed free admission into the stores where the cargo is lodged from time to time, in order to inspect into the same, or to state the goods, and to have the power of shifting or removing any part of them from one part of the store to another should he receive any injury likely to arise to them from remaining in that port where they may then happen to be. A free bond for Venus's cargo.

4. That Governor King, on the part of His Majesty, shall allow such casks as can be spared from the necessary public uses to be collected for containing the above-mentioned cargo of pork, for which casks no charge is to be made by Governor King, except such of them as may be lost or destroyed, Bass and Bishop binding themselves responsible for the safe re-delivery of the whole cargo. And it is further agreed that in case Government should not be able to supply a sufficiency of casks to complete the whole quantity of what the *Venus* can bring, then the owners of the cargo must be at liberty to purchase or procure casks to supply the same. Government to supply casks. Private trade.

1801 that deficiency, and to fill them with pork for sale at Port Jackson on their own account. And if the *Venus* should fail in procuring a full cargo of pork, that then on her arrival at Port Jackson the owners shall be allowed a share of pork on their own account, exactly in the proportion that their quantity of empty casks bear to the proportion of empty casks supplied by Government.

9 Oct.

PHILIP GIDLEY KING.
BASS AND BISHOP.

ADDITIONAL PORT ORDERS.*

10 Oct.

Issued from October 10th, 1800, to October 10th, 1801.

Stowaway
convicts.

COMMANDERS bound to India or China to give bonds before they are cleared out not to take away any convict or convicts from hence, or to land any that have ever been convicts, in any part of the Company's territories.

Miscel-
laneous.

Ships leaving this port to advertise a week previous to sailing. Strong drinks are not to be given to natives on board ships.

Commanders, and all persons concerned in shipping, having business with the Governor, are to be at Government House any morning at half-past 8 o'clock.

Masters of ships and consignees to hold themselves responsible to the Naval Officer for assessments.

No credit to
seamen.

Masters to cry the credit of their seamen down immediately on their arrival, nor to pay debts contracted by them without their written order, which can be produced in evidence.

No shore boats to go on board a ship after sunset without a pass.

Appointed
landing
places.

Boats landing at any part of the Cove but the Hospital Wharf, except such as belong to the hospital, salt-pans, or to King's ships, without permission being first obtained from the Governor or Lieutenant-Governor, will be fired on by the centinels and seized.

No boats to land on Garden Island without the Governor's permission.

Masters and officers of merchant ships to carry a lanthorn if they are on shore after tap-too beating, and to make themselves known to the centinels when hailed.

Boats to
answer
when
hailed.

If merchant ships' boats do not answer when hailed by centinels, or from any ship whatever, they are to be fired at, and detained until reported.

Runaway
sailors.

All masters of ships are to take notice that when any of their sailors abscond from their ships to which they severally belong, or are taken up after hours, that such masters must receive them on board again, unless for a temporary punishment they wish them to be confined in gaol; in which case they must be victualled from the ship, and may be worked in the gaol gang, or kept in confinement, as the masters may choose. Masters will be held responsible

* See also Shipping Regulations, ante, pp. 231 and 243.

for all gaol and other incidental fees. Masters of ships may discharge any sailor, provided it be by mutual consent. 1801

The constable's and gaoler's established fee for each seaman taken up or lodged in gaol is 5s. per night. Seamen leaving private ships without the consent of the master will not be allowed to ship on board any other vessel, if there is an opportunity of returning them to the ship they left. 10 Oct. Gaolers' fees.

By command of His Excellency,
W. N. CHAPMAN,
Secretary.

GOVERNMENT AND GENERAL ORDERS.

11th October, 1801. 11 Oct.

WHENEVER spirits, wines, or other strong drinks are taken out of a ship, on any account, without the Governor and Naval Officer's permit they become seizable wherever found. Permits for removing half a gallon or less of spirits or other strong drinks may be given by the following persons, viz. :—Civil and military commissioned officers or superintendants ; for the military at Sydney by the officer of the day, adjutant, or serjeant-major ; at Parramatta, by one of the officers of that detachment. Licensed people to give their own permits for the above quantity, which they may dispose of, and should this privilege be abused they will forfeit their license and recognizance ; other descriptions to apply to the magistrates, who alone can grant permits for a greater quantity than half a gallon. Any person giving the smallest quantity of spirits without a permit will forfeit £5. Spirit permits. Unauthorized landing of spirits.

PHILIP GIDLEY KING.

CAPTAIN MACARTHUR TO SUPERINTENDENT JAMIESON.*

Sir, Parramatta, 13th October, 1801. 13 Oct.

William Faithful has just informed me that you sent a man to him to-day to direct that Major Foveaux's sheep might be kept in to-morrow for the Governor to inspect. It is therefore necessary Governor King should be acquainted that the sheep are all now on my farm ; that a part of them, with Major Foveaux's farm, were yesterday sold by virtue of the powers vested in me for that purpose ; and that the remaining part will be also sold if Major Foveaux approves of the terms, which are transmitted to him by the Venus. The sale of Major Foveaux's sheep.

I am, &c.,

JOHN MCARTHUR.

EX-GOVERNOR HUNTER TO UNDER-SECRETARY KING.

No. 17, Nottingham-place,

Dear Sir, 14th October, 1801. 14 Oct.

I have no doubt when you consider the anxiety under which, from my present situation, I must labor you will admit it a sufficient apology for the trouble I give you.

* See also pp. 590, 601, 602, and 606, post.

- 1801** If you will look back on the immensity of that fatigue of both body and mind under which, from the difficulties with which I was surrounded in my late command for so many years ; if you consider how much, by a steady perseverance in the dutys of my situation, I conquered, and what I have done for the advancement of the colony of New South Wales ; if you were only to compare its distracted state when I took upon me the direction of its intricate, confus'd, and complicated affairs with what were its circumstances when I was called from it in so unexpected a manner, you would scarcely express astonishment at my feeling myself most cruelly dealt with, and my character at this moment suffering under censure, which as an old officer, far advanced on the list of my profession, is certainly of much importance to me. Can it be supposed that I cou'd under such circumstances apply to the Admiralty on my return for employment in the line of that profession ? No, certainly not, under such apparent, although ill-founded censure, a censure which to the last hour of my existence I will declare, and, if necessary, prove unmerited, unjust. The investigation I so earnestly solicited was intended to show from respectable proof where the censure, I might say the punishment, was deserved, but it was refused me. You cannot, therefore, be surprised that it has been believed to have proceeded from the interest which the military serving in that country had upon the spot in this, and who, after all that has been said respecting their conduct, both anonymously and officially, have not had a single step taken thro' your office against them. One man of that class has been pointed out—nay, he has often pointed himself out by his troublesome disposition, which he has so often in that colony been the cause of discord. His vile, contemptible letter respecting my management was sent to me from Home, and my observations upon it desir'd by His Grace, which I sent pretty fully, with documents in support ; but no further notice has been taken of him. That cou'd not surely be considered as doing justice either to him or to me ; and he now exults in an easy fortune gained by that very conduct so often forbidden from Home. He has neither been recalled, ordered out of his regiment, or any other public mark of disapprobation shown him, whilst the Commander-in-Chief, whose administration of government, I venture to say, will admit the most minute scrutiny, is obliged to retire upon his half-pay as a captain in the Navy, without even the shadow of proof to his dishonor.
- 14 Oct** Hunter's difficulties.
- Harsh treatment.
- " Ill founded censure."
- An inquiry refused.
- The privileged' N.S. Wales Corps.
- Hunter's traducer.
- A Governor's fate.
- Reward for past services.
- I rely, sir, on your assistance, which will render any application to private friends unnecessary, for obtaining through the Duke of Portland an allowance for my past services in the office I had lately the honor to fill. It wou'd be far more pleasing to me to obtain it thro' His Grace than thro' the endeavours of my private interest, however respectable, as in the one case it would be a mark

f His Majesty's approbation of my services, and would consequently remove the odium which I consider the manner of my return to have cast upon my former character as an officer in the service of His Majesty and of my country, and in the other might appear as the effect of interest. 1801
14 Oct. — Unmerited opprobrium.

I confide, therefore, in the obliging intention you expressed when last saw you, for at present I am so suspended between hope and uncertainty that altho' I am, and have long been, extremely anxious to go into Scotland to visit some relations there, whose support depends on my health and success, I have not yet been able to quit London. An anxious time.
I have, &c.,

JOHN HUNTER.

LIEUTENANT KENT TO SIR JOSEPH BANKS. (Banks Papers.)

Sir, Kentish Town, 16th October, 1801. 16 Oct.

Knowing you are greatly interested in the welfare of His Majesty's distant settlement in New South Wales, I have taken the liberty of sending you herewith specimens of iron, extracted in the foundry at Gosport, from the ironstone found in the vicinity of the town of Sydney, which I am told is superior to the finest Swedish iron. Iron ore from N. S. Wales.
Unfortunately none of the crucibles would stand the blast of the furnace, or a considerable quantity of the iron would have been procured. Should you wish to see me on this or any other subject, I will do myself the honor of waiting upon you before I return on board the Buffalo, which will be in about twelve days.*
I have, &c.,

WM. KENT.

COST OF TRANSPORTATION.

Transport Office, 20th October, 1801. 20 Oct.

AN ACCOUNT of the expences of this Department for conveying convicts, settlers, provisions, and stores to Port Jackson, in New South Wales, between the 1st September, 1794, and the 20th October, 1801. Transportation expenses.

	£	s.	d.
Hire of ships	142,535	17	11
Clothing, bedding, and irons for the convicts	20,626	3	8
Sundry articles of comfort for sick and female convicts, and for fumigating the ships	2,617	5	6
Allowances to surgeons, and for providing necessaries	1,129	10	4
Expence of fitting the ships for the reception of the convicts	6,302	19	9
Sundry articles purchased for the use of the colony at Port Jackson, by direction of the Lords Commissioners of His Majesty's Treasury	8,504	13	9
	£181,716	10	11

* See Kent's letters to Banks of 1st November, 1801, post, p. 608; 6th December, 1801, and enclosure, post, p. 681; and Vernon to Banks of 17th June, 1802.

1801

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

H.M.S. Investigator, False Bay,

Cape of G. Hope, 21st October, 1801.

21 Oct.

Flinders at
the Cape.

I FEEL some satisfaction in writing to you, Sir Joseph, now that I have not to trouble you with my wants and complaints, but rather to say that we have thus far advanced prosperously in the voyage. In my letter to the Admiralty I have detailed the few circumstances worth mentioning that occurred in the passage, but as they are not of much importance it is not necessary to repeat them here. A table of meteorological observations and of the route is inclosed in the Admiralty letter, in which the currents by which the ship was influenced in her course through the Atlantic are noticed. This I have done partly with the view of furnishing some further data to Major Kennel, whom I understand to be collecting facts relative to the currents in this ocean. If they should prove of the least service to the Major it will make me happy.

The Atlantic
currents.The
Investigator
leaky.

We are now under a thorough course of caulking, which the leaky state of the ship in her upper works has made necessary; but by the end of October I fully expect that not only the caulking will be completed, but every other work which it is necessary for us to do at the ship to make her ready for proceeding to King George's Sound, where, soon after the commencement of December, I hope to be.

The Lady
Nelson.

No intelligence has yet been received here of the Lady Nelson's arrival at Port Jackson, although here are letters from thence dated in March last. I have some fears for her safety, particularly as she was desired to run in the parallel of 38° south, in order to pass through Bass's Strait.

Communica-
tion with
Sydney.

I expected to find some convict ships by which I could have forwarded the letters to Governor King, and requested him to have the Lady Nelson ready to proceed to sea with me about the month of April, for it is not probable that we shall arrive there much before that time, and I yet hope that some ship bound to Port Jackson may come in before we sail.

The
Porpoise.

The ill health that has attended Mr. Crosley in the last passage is likely to be attended with the unpleasant consequence of his being left behind here. Should it so happen, I shall have some further occasion to trouble you with my writing from this place.

I have just now learned that the Porpoise is expected here every day, and that Mr. Bass sailed from hence three months back.

Mr. Brown wishes me to say that he defers writing to you, Sir Joseph, until we are about to leave this place, when his subjects will be more extensive.

With the hope that your health is re-established, I remain, Sir
Joseph,

Yours, &c.,

MATTW. FLINDERS

MR. M. MASON* TO GOVERNOR KING. (King Papers.)

1801

Sir,

Hunter's River, 24th October, 1801.

24 Oct.

The reason assigned for not having more coals at hand—
 men were allowed nine days for extr[a] labour in loading the
 ooner last voyage, and four days getting fustic and propping
 mines. With three minors and six carriers they have got
 ee tons p'r day, often not so many. With the same number of
 rors I can get nine tons, and when we have wheelbarrows three
 riers will be sufficient, and the other three can be employed in
 ing them to the beach where the boats load. Can set three
 re minors to work immediatly, and in fourteen days six or eight
 re. If the mines are to be worked on an extensive scale, much
 y be done at a small expence to reduce labour by having a way
 l with slabs from the pits, and a wharf run out upon a bank
 stones and sand where boats may load at any time of tide
 hout the men going in the water. As the men get farther
 ler ground the coals are better in quality. Small candles, from
 nty to twenty-four in the pound, are what is commonly used
 coal-mines. They answeare every purpose of large candles.

Coal-mining
at Hunter
River.

The output.

Labour-
saving
measures.

We want large scales and weights to weigh a basket or barrow
 d of coals, to know what quantity is got every day; three ham-
 rs, seven pounds each; six box barrows that hold two hundred
 ights each; large and small baskets; a blacksmith, with his
 ls, and some steel. The minor's tools are badly constructed,
 d wants repairs. If we had boards and ironwork we can make
 e barrows here. The carpinter wants one broad ax, one adz,
 e long plain, jack do., smoothing do., compasses, two-foot rule,
 latone, and chalkline. J—— M—— returns by the schooner.

Mining
tools
required.

—t W——d's behaviour has been such that even the soldiers
 ve drummed her out of their society. The charges against
 rporal Wextead at my first arrival every man disavowed any
 owledge of the letter. Wextead himself found out the author
 d brought him forward. Mr. Barralear and myself investigated
 e business in the most deliberate manner. We let them have
 e sperits, agreeable to the wish of the soldiers and prisoners. It
 pears they had it at different times, everyone an equal share,
 t all in the course of a few days, and every man was well satis-
 d at the time. We disapprove of his imprudence, but acquit him
 converting the sperits to his own use, and consider him too
 at a man to govern such a set as he had to deal with. It was
 irt business, and some of the prisoners had gon so far as to
 y who would be appoint to command here if they jacketed him.
 ree weeks before my arrival a letter was sent to inform them
 my appointment, which made them all good friends, and they
 d actually before my arrival applied to Wextead to know if he

Incorrigible
women.An investi-
gation.An unpopu-
lar officer.

Mr. Martin Mason was appointed a magistrate for the districts of Parramatta and
 ngabbie in January, 1801—ante, p. 288.

1801 would join with them to jacket myself if severe. They have got
 24 Oct. a change, but not the change they wished to have. Fred. Kirkwold
 is gon up the river with Mr. Grimes and Barrallear, to see where
 Fish curing. the cardjang* [*sic*] is found. The weather hath been against any
 attempt at curing fish, and I have not men to spair from other
 duty. The old net that was left here is not fit for anything. The
 situation of the settlement is unfavourable for cultivation; the
 soil is poor and sandy, and the winds cut off everything.

Tackle wanted. Permit me to request some lines and fish-hooks may be sent for
 the people, and at the same time the men your Excellency is
 pleased to allow me. I left the names of three of them with Mr.
 Thompson, and there is one man I spoak to Mr. Marsden for. I
 brought but one man with me, and cannot with propriety take
 any from public duty here for my private concerns.

Inclosed is an acc't of provisions and stores received from Cor-
 poral Wexstead. A list of the civil, military, and prisoners victualled
 from the stores herewith, their rank, and how employed, with the
 monthly return, which in futer will be made up to the first of
 every month, and accompanied with a return of how the people
 have been employed the preceding month.†

Permit me to subscribe myself, &c.,

M. MASON.

GOVERNMENT AND GENERAL ORDER.

24th October, 1801.

Spirits. ALL boats conveying spirits from Sydney to the Hawkesbury are
 to be seized, as well as everything in them, if not provided with
 a removing pass from the Governor.

The currency. The public are once more informed that no debts or notes of
 hand can be recovered that are not on the printed notes, as pointed
 out by the General Order of October, 1800.‡ No other notes are
 negociable.

Caution to settlers. The settlers in general are warned not to make away with the
 expected produce of their farms for the enriching those who have
 made so great a prey of their necessities. They will also do well
 to consult the Abridgement of the General Orders, issued during
 the last twelve months, which fully warrants their resisting any
 extortionate demands.

Licensed victuallers. Licensed people receiving permits for spirits are to receive it
 themselves; and if any persons convicted of giving the spirits
 they draw to any licensed or other person, on any pretext, they
 will forfeit their licenses and recognizances.

PHILIP GIDLEY KING.

* Probably intended for Kurrajong.

† These enclosures are not available.

‡ See the Order of 1st October, 1800, ante, p. 221.

MAJOR FOVEAUX'S SHEEP.

599

GOVERNMENT AND GENERAL ORDER.

1801

25th October, 1801.

25 Oct.

THERE being reason to suspect that some vagabonds are living among the natives, and instigating them to commit many acts of violence on the settlers, any person apprehending T—s T—h or W—m K—t will receive seven gallons of spirits for each.

White men living with natives.

The settlers and inhabitants throughout the colony are cautioned to pull the grass up round the wheat, to prevent accidents by fire. No person whatever is to carry a lighted stick or smook a pipe near any wheat. Persons offending herein to be reported.

Precautions respecting fire.

PHILIP GIDLEY KING.

SECRETARY W. N. CHAPMAN TO JOHN JAMIESON.*

Sydney, 27th October, 1801.

27 Oct.

THE Governor desires you will wait on Captain McArthur with the enclosed extract of a letter from Major Foveaux to Gov'r King, and shew it to him. And as the Governor means to do what is right and proper respecting the Major's stock and farms, you are to inform Captain McArthur that the Governor has directed you to inspect, mark, and take possession of the sheep and farms for His Majesty's use, agreeable to Major Foveaux's acquiescence with the Governor's proposals sent by the Lady Nelson, October 1st. Should Capt'n McArthur start any objections, or prevent you from proceeding herein, you will obtain his written answer to that purpose, and communicate it to the Governor without loss of time.

The Governor's instructions.

I am, &c.,

[Enclosure.]

W. N. CHAPMAN.

EXTRACT of a letter from Major Foveaux to Gov'r King, dated Norfolk Island, 12th October, 1801.

"I THANK you very much for your kind offer about my sheep. My situation on this island prevents my paying that attention to them which I know is necessary. On that consideration I will accept your offer of a conditional bill for them as they now stand at two pounds a head, and will give them into your charge, or if you would prefer to have them valued, give me a conditional bill for their amount; it will be the same to me, but that I leave entirely to you, being confident of your doing for me whatever you think will be most to my advantage."

Terms and prices.

JOHN JAMIESON TO SECRETARY W. N. CHAPMAN.

Sir,

Parramatta, 27th October, 1801.

I have waited on Capt. McArthur according to the Governor's orders. Capt. McArthur will write his answer to his Excellency; therefore I must wait for further orders. I know that the Major's and Captain McArthur's sheep are already mixed.

The stocks mixed.

I remain, &c.,

JNO. JAMIESON.

* John Jamieson was the Superintendent in charge of Government live stock.

1801

EX-GOVERNOR HUNTER TO LORD HOBART.

No. 17, Nottingham-place,
28th October, 1801.

28 Oct.

My Lord,

Hunter's
passage-
money.

Having returned from the government of New South Wales for the purpose of affording such information relative to its concerns as might be required, and as I find that from the time of my resigning my executive authority into the hands of the officer whom I left in the chief command my salary as the Governor ceas'd, I hope your Lordship will see no impropriety in directing that, for the purpose of defraying the expences of my return, such sum as may have been customary in such cases may be allowed me.* I need not, I am sure, point out to your Lordship the immense length and distance of the voyage.

Should your Lordship be desirous of any information from me relative to the concerns of that remote settlement, and will do me the honor to send me information when I may be admitted to an interview, I shall feel it my duty to attend your Lordship.

I have, &c.,

JOHN HUNTER.

GOVERNMENT AND GENERAL ORDER.

29 Oct.

29th October, 1801.

Allowance of
coal to
guard.

THE winter allowance of coals allowed to guards in England will be issued to such guards as have grates put up for that purpose, to be drawn every morning after guard-mounting, viz.: A commissioned officer's guard, one bushel; a non-commissioned officer's guard, half a bushel.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SIR JOSEPH BANKS,

H.M.S. Investigator, Cape of Good Hope,

Sir Joseph,

29th October, 1801.

An
invalid
scientist.

The circumstance that I feared is now become a certainty, which induces me again to address you from this place. The ill-health that has hitherto attended Mr. Crosley during the greater part of the last passage made him fear that he would not be able to attend to his duty in the way that he could wish, and therefore, after trying the effect of a few days on shore, he has decided to stay behind at the Cape, where he can procure a passage to England. On many accounts I am very sorry that this takes place, but I shall endeavour that the injury which the service must sustain by this misfortune may be as much reduced as our remaining joint abilities in this department can make it. As far as relates

* This request was granted. On the 25th November, 1801, Lord Hobart signified to the Treasury the King's pleasure that £300 be paid to Captain Hunter for defraying the expense of his passage from Sydney.

ascertaining our situation at sea, and fixing generally the positions of headlands, &c., I do not much fear but that we shall succeed tolerably well, as also in getting at the rates of our time-keepers in harbour by means of the artificial horizon, since I have been some years in the practice of doing these. With respect to astronomical clocks and the universal theodolite I feel more confidence. I have, however, paid all the attention to them since they have been set up at this place that my necessary business would permit; and with the assistance of my brother,* who has been constant resident at the observatory, I am by no means without means of fulfilling nearly the instructions from the Board to Mr. Crosley, a copy of which instructions he will leave with me. The latter part, if not the whole, of the instruments, &c., with which Mr. Crosley has been supplied he will leave in my charge; and on his return he will be able to give the Board some information to how far we are likely to supply his place.

On considering well the subject of sending out another astronomer, it appears to me that one could not possibly arrive at Port Jackson in less than twelve months from this time, and most probably would not join the Investigator in less than eighteen, which time I hope to have the principal part of our survey completed. During this time we must perform the whole business of the observatory, and shall, it is to be hoped, have made ourselves masters of it. In this state of things, I would not wish to have it taken out of my hands towards the conclusion of the voyage; and therefore, although I should be very glad to get an able man to fill Mr. Crosley's place at this time, I am decidedly against making any application to the Board of Longitude to send me a successor. With respect to any compensation to my brother from the Board for our labours in their service, it must entirely be left to the Board to decide. We shall do everything within our reach to benefit science, whatever is their determination. Requesting your forgiveness, Sir Joseph, for intruding so long on you.

1801

29 Oct.

Nautical astronomy.

Flinders and his brother.

No successor to Crosley.

Compensation for extra duty.

I am, &c.,

MATTHEW FLINDERS.

SECRETARY W. N. CHAPMAN TO CAPTAIN MACARTHUR.

Sir,

Sydney, 30th October, 1801.

30 Oct.

The Governor desires me to inform you that he has not received the answer you promised Mr. Jamison to send to my note him dated the 27th. He concludes it is not your intention to send any answer; and as he is informed that Major Foveaux's sheep, which are all in very excellent condition, are distributed to our different farms, mixed with yours, from among which it will

The Governor asks for an answer.

Samuel W. Flinders, Lieutenant on the Investigator. His name first appears in the Sydney List as a Lieutenant in 1801. There is a break in the records of his services till 1804, from then his name continues on the list until 1835 (twenty years after the death of his brother Matthew).

1801
30 Oct.
Better
terms for
Foveaux.

be difficult to separate them, and as Mr. Bayly supposed that Major Foveaux will more readily accept your unconditional bill to the conditional bill he would give for them, at two guineas a head, His Excellency desires me to say that he will interfere no farther in this business, in which he should have been glad to accommodate the Major, and at the same time have served Government, than by transmitting the correspondence to that officer, and referring him to you for the measures you have taken in this transaction.*

I am, &c.,

W. N. CHAPMAN.

ENSIGN BAYLY TO SECRETARY W. N. CHAPMAN.

31 Oct.

Dear Chapman,

Sydney, 31st October, 1801.

Macarthur
the pur-
chaser.

In answer to your letter concerning Major Foveaux's sheep I have to acquaint you, for the information of His Excellency Governor King, that being authorised by the Major to dispose of his sheep in such manner as I conceived would be most to his advantage, I have accordingly sold them, with the farm, to Captain McArthur for £2,000, which is in my opinion more preferable, and will be more agreeable to Major Foveaux, than to take His Excellency's kind offer of a conditional bill for their amount, at two guineas a head and the farm included.

I remain, &c.,

NICHOLAS BAYLY.

GOVERNOR KING TO ACTING LIEUTENANT MURRAY.†

31st October, 1801.

The Lady
Nelson's
voyage in
Bass
Strait.

His Majesty's armed surveying vessel Lady Nelson, under your command, being victualled and stored for six months, you will proceed without loss of time to Basses Straights, and observe the following directions for prosecuting the discoveries in those straits, and on the south-west coast of this country, agreeable to His Majesty's instructions communicated by His Grace the Duke of Portland.

Kent's
Group.

Wilson's
Promontory

Having the chart before you of the discoveries that have already been made, if you find the wind westernly when you are between the Ram Head and Western Port, you will proceed to Kent's Groupe, and ascertain the size of those islands (particularly the easternmost), and how far they correspond with Mr. Rushworth's account, noticing the facility of getting fresh water, and whether it proceeds from a spring or from rain. From Kent's Groupe you will run on a straight course to Wilson's Promontory, noticing the course and distance, soundings, and quality of the

* Under date 15th January, 1802, Major Foveaux wrote to Governor King acquiescing in these arrangements.

† It was on this expedition that Acting-Lieutenant Murray discovered Port Phillip. A full account of his voyage, and copies of extracts from his log-book, will be found in Labilliere's *Early History of the Colony of Victoria*, vol. i, p. 72.

bottom. But should you have a leading wind into the straights, you may defer visiting Kent's Grouse until you return. From Wilson's Promontory you will trace the coast between Point Schank and Cape Albany Otway, noticing the soundings and everything remarkable. From thence you will run on a straight course to Harbinger Rock, lying off the N.W. point of King's Island, carefully noting the exact line of bearing and distance, soundings every half-hour, and quality of the bottom, set and strength of the tides. You will then make the circuit of that island or islands as the wind and weather may suit; and, in addition to the King's instructions respecting new discoveries (a copy of which you are furnished with), you will carefully examine the nature of the bottom in the circle of and all within six miles round the island, to ascertain whether a vessel may anchor on either side without danger of cutting her cables by foul ground.

1801

31 Oct.

King Island.

To search
for safe
anchorage.

Having completed the survey of that island or islands, you will ascertain the line of bearing and exact distance between its south-westernmost point and Albatross Islands, the northernmost of Hunter's Islands, and the Pyramid, carefully noticing the half-hourly soundings and bottom on those three lines.

Bearings of
King Island.

Having completed the object of your survey thus far, you will ascertain to what distance soundings may be got to the westward of the Norfolks and Lady Nelson passages, taking care to traverse across to the latitude of 42° on the south side, and within sight of land on the north side or coast of New Holland [Van Diemen's Land] until you lose soundings between 38° and 42° .

Bass Strait.

In making these traverses I wish you to sound as often as possible, and to be very circumspect in noticing the depth and quality of the bottom; and as you stand in on the New Holland side you will examine the coast between Cape Albany Otway and Cape Solicitor,* which Lieut't Grant named Portland Bay, the bottom of which he did not see.† Should you have time, I would wish you to run due south from Cape Solicitor as far as 40° , and work back again to Cape Bridgwater, noticing the soundings and quality of the bottom on both tracks. If you have completed all this by the time you have been out three months, you will employ another month or six weeks in tracing the coast from Cape Banks as high up the south-west coast as the weather will allow of.

Portland
Bay.The south-
west coast.

As many unforeseen circumstances may happen to accelerate or retard your proceedings in executing these instructions, much must necessarily be left to your discretion, and in which you will act according to the best of your judgement.

In returning to this port you will deliver all such journals and charts as may have been compiled by you or any person under

* This cape was discovered and named by Lieut. Grant, who called it Cape Solicitor or Cape Sir William Grant. The former name has been discarded. The cape is still known as Cape Sir W. Grant.

† See the sketch of Bass Strait, ante, p. 311.

1801 your command, together with such specimens of natural curiosities
 31 Oct. as may be collected during your intended voyage.
 The Investigator. Should you fall in with His Majesty's ship Investigator, you
 will communicate these instructions to the commander of that
 ship, and put yourself under his command. And in case you fall
 in and are come up with by the Naturaliste and Geographe, French
 Le Naturaliste and Le Geographe. vessels on discovery, you will produce your passport from His Grace
 the Duke of Portland to the commander of that expedition.
 For all which this shall be your order.

PHILIP GIDLEY KING.

GOVERNOR KING TO SECRETARY NEPEAN. (King Papers.)

Sir, Sydney, N.S.W., 31st October, 1801.

Return of Lt. James Grant, who brought the Lady Nelson to this
 Lt. Grant to England. colony, has received my permission to return to England agreeable
 to his request contained in the enclosure.* Until the Investigator
 arrives I have appointed Mr. Jno. Murray, mate of the Porpoise,
 to act as Lt. and Commander of the Lady Nelson; and in case
 Capt'n Flinders should wish to put one of his own officers into
 that vessel, I shall appoint Mr. Murray to act in that vacancy
 untill their Lordship's directions are received. I have the honor
 to enclose Mr. Murray's passing certificate,† and hope there will be
 no impropriety in my respectful recommendation of that young
 man to their Lordship's notice. It is also necessary I should
 inform you that I have been induced to give Lt. Grant leave to
 return on his own application; and had nothing else been requisite
 than the officer's and seaman's duty for the service the Lady Nelson
 is engaged [on], Mr. Grant would have acquitted himself much to
 my satisfaction.

Grant a good seaman. His Majesty's armed vessel Porpoise returned here from Otaheite
 the 2nd instant, and brought all the casks (I could collect to send
 by her) filled with excellent salt-pork, which is a very acceptable
 supply to the colony. It was my intention to have sent the Por-
 poise immediately after her arrival to the Cape with a load of
 coals, of which there is a very great abundance, for the use of
 His Majesty's ships on that station, and to have taken Capt'n
 Jno. McArthur, of the N.S.W. Corps, that far on his way to Eng-
 land, under an arrest, charged with endeavouring to create dissen-
 sion between me and Lt.-Col'l Paterson, commanding the N.S.W.
 Corps and Acting Lieutenant Governor, whereby His Majesty's
 service has greatly suffered, as the conduct of Capt'n McArthur
 brought on a duel between him and the Lt.-Col'l, which had nearly
 deprived H.M. service and this colony of a valuable officer. But,
 unfortunately, that ship's foremast and bowsprit proved so bad as

* See Lieutenant Grant's letter, ante, p. 515.

† The certificate, referred to, will be found on p. 505, ante. See Nepean to King, 24th May, 1802.

to be condemned, and several sheets of copper being off on both sides, fore and aft, as low as the keel, renders it necessary to lay her on shore, or heave her down. As the season is so far advanced, I have relinquished sending her to the Cape this year, and shall send her to Otaheite about next February for another cargo of pork. Capt. McArthur goes home by way of India. I enclose the Porpoise's last weekly acc'ts. I have, &c.,

1801

31 Oct.

Repairs to
the Porpoise

PHILIP GIDLEY KING.

GOVERNOR KING TO THE COMMANDER-IN-CHIEF OF THE NAVY,
STATIONED AT THE CAPE OF GOOD HOPE. (King Papers.)

Sir, Sydney, New South Wales, 31st October, 1801.

I have the honor to send this by Lieutenant Grant, late commander of the *Lady Nelson*, who goes in the *Anne Josepha* (brig), taken by a whaler on the coast of Peru, condemned here as a prize, and purchased by some individuals who have my permission to take a load of coals and timber to the Cape, and there to dispose of the vessel as a prize.

A Spanish
prize.

Lieut. Grant has my leave to return to England, and should any of H.M. ships be going home, I have to request you will be pleased to allow him a passage. It is necessary I should inform you, sir, that I have been induced to give Lieut. Grant leave on his own application, as he is by no means qualified as "surveyor," which the commander of the *Lady Nelson* should be for the service she is destined for. I hope he will be so fortunate as to get into some situation that may place him in a line for that preferment I should be happy to see him possessed of.

Lieut. Grant
not a
surveyor.King's good
wishes.

His Majesty's armed vessel *Porpoise* being in great want of naval stores, and the service requiring my sending her to the Cape, she will leave this the beginning of next month, and will take about sixty tons of coals, which her commander is directed to deliver to whomever you may appoint to receive them for His Majesty's use. I have, &c.,

A cargo of
coal for the
Cape.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SECRETARY NEPEAN.

H.M.S. Investigator, False Bay,

Sir, Cape of Good Hope, October, 1801.

— Oct.

I request you will inform my Lords Commissioners that after a stay of four days at Madeira, with His Majesty's ship under my command, I put to sea on August 7th, and on the 15th made S'n Antonio, the north-westward of the Cape Verd Islands, but meeting with baffling airs from thence, and afterwards a long course of south-westerly winds, which drove us within a few degrees of Cape Palmas, I was not able to cross the Equator untill the 8th of September, in the longitude of 17° west. This longitude being near to the assigned situation of the small island, Sable or St. Paul, I ran to the longitude of 20° west, in the parallel of

The
Investiga-
tor's voyage.

1801 25° south, taking such measures that the island could not easily be missed by our passing it in the night. Meeting with no success in this examination, or anything that indicated the vicinity of land, on the 10th we hauled to the southward, and on the 23rd saw the island Trinidad, whose situation, and the observations by which it was ascertained, will be mentioned hereafter. On Sept'r 29th we had reached the latitude of 31° south, and being 6° west of the long lost discovery of the Dutch, called Saxemburg Island, I thought it to be a convenient opportunity to add that 6° to the space which has been examined for this island, more especially since the search of preceding ships has left the prospect of finding it on this side greater than to the eastward; but having run from the above-mentioned situation to that which is assigned to Saxemburg in the chart without meeting with anything that could satisfy me of its existence in the neighbourhood of any part of our track, I hauled more to the southward on Oct'r 1st, and having the winds generally fair, we came to an anchor in this bay on the 16th, not having a single man in the sick-list.

— Oct. Looking for an island.

A lost island.

A healthy ship.

I am, &c.,

MATTW. FLINDERS.

SECRETARY W. N. CHAPMAN TO ENSIGN BAYLY.

1 Nov. Sir, 1st November, 1801.

Major Foveaux's sheep

mixed with Macarthur's.

The Governor will not interfere.

On receiving your answer* to mine of the 27th October, I communicated it to the Governor, who desires me to say that on receiving Major Foveaux's letter he acquainted Capt. McArthur with that part of it (a copy of which I enclose) respecting the Major's stock of sheep, as well as a continuation which states the Major's ideas of the part you or I ought to have had in that transaction. As Captain McArthur took possession of the sheep and farms by virtue of the powers so vested in him by the Major on the 12th October, and, as I am informed, has mixed them with his own, from which it would be difficult to separate them; and as Capt'n McArthur has not thought proper to give any answer to the Governor's message, by Mr. Jamieson on the 27th ult., demanding the sheep and farms agreeable to the Major's instructions; and further, as you state your being authorised, which authority the Governor must suppose you received from Major Foveaux since he wrote his letter of which the enclosed is a copy,—the Governor desires me to say, from the above circumstances, he has forborne using the right of taking possession of the sheep and farms, which the Major appears to have so fully empowered him to do.

I am, &c.,

W. N. CHAPMAN.

As the Governor means transmitting the correspondence respecting the sheep to Major Foveaux, he hopes that he will be satisfied with what has been done in the disposal of his property.

* Ensign Bayly's answer will be found on p. 602, ante.

LIVE STOCK.

607

A RETURN of Government STOCK AND GROUNDS IN CULTIVATION, November 1, 1801.

District.	Horned Cattle.					Horses.					Sheep.					Ground in Cultivation.	
	Bulls.	Cows.	Bull Calves.	Cow Calves.	Oxen.	Horses.	Mares.	Fillies.	Colts.	Geldings.	Rams.	Ewes.	Wethers.	Ewe Lambs.	Wether Lambs.	Acres in Wheat.	Acres in Maize.
Parramatta ..	5	298	132	147	33	2	19	2	3	2	8	323	109	219	82	..	..
Tongabbe ..	5	92	95	135	24	..	..	..	..	..	..	..	..	..	..	..	..
Seven Hills ..	3	24	30	32	8	..	..	..	..	..	..	..	..	..	..	..	..
Sydney ..	2	29	7	15	35	..	..	..	..	..	..	..	..	..	..	..	..
Total ..	14	353	264	329	100	2	23	2	3	2	8	333	199	219	82	476	300
Increase since last Return ..	1	10	83	72	21	1	..	1	..	..	3	13	12	22	4	..	..
Decrease since last Return ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

Killed and issued to the sick in the General Hospital at Sydney and Parramatta, in lieu of salt meat .. 13 wether sheep.

Killed and issued to those victualled from the Stores, in lieu of salt meat .. 15 old bullocks.

PHILIP GIDLEY KING.

1801

1 Nov.

Live stock and agriculture.

1801 LIEUTENANT KENT TO SIR JOSEPH BANKS. (Banks Papers.)

1 Nov. Sir, Kentish Town, 1st November, 1801.

I have just had the pleasure of receiving your very obliging letter of the 27th ult., and as the Admiralty have been pleased to extend my leave of absence to fourteen days more, I shall have the honor of paying my respects to you before my return to the Buffalo, at which time I will take the liberty of requesting to know if Government will hold out advantage to any ingenious man who will undertake the smelting of iron ore in New South Wales. Cast-iron vessels of all kinds might be made there for the use of the settlers and prisoners, together with every utensil of husbandry, &c., &c.; this would at least save the expense of freight, and effectually prevent disappointment (which frequently is the case) in those necessary articles not arriving from England at the time they are most wanted, the consequence of which is, the Governor is obliged to purchase iron out of ships that call at Port Jackson, at a very exorbitant price. If it is wished, I can point out many essential services that can be rendered the colony by the Buffalo on her present voyage, which appear to me to be entirely overlooked. My inclination, as well as duty, will lead me to this, altho' no notice has been taken of me for the exertions I have made and the risks I have run during the long space of eight years in assisting to bring that beautiful country to its present flourishing state.

I have, &c.,

WM. KENT.

GOVERNOR KING TO UNDER-SECRETARY KING. (King Papers.)

5 Nov. Sir, New South Wales, 5th November, 1801.

Pork from Otaheite. 1. In my last I informed His Grace of my having sent the Porpoise to Otaheite to endeavour getting a cargo of pork from the Society Islands. She returned here on the 2nd October, with all the casks she carried filled with 31,000 lb. of excellent salt pork.

Repairs to the Porpoise. 2. The Porpoise's foremast and bowsprit being rotten and condemned, and much copper off her bottom, it will be necessary to heave her down, which will prevent my sending her to the Society Islands for some time; but as I think it advisable to keep up the correspondence I have so successfully began, I am sending a small Colonial vessel (the Norfolk, of 56 tons) to Otaheite for that purpose; and although the summer will be against curing the pork so well as when the Porpoise was there, yet, from the assurances of the chiefs and missionaries, I have great hopes of getting supplies.

The Norfolk. 3. Conceiving it highly necessary that the earliest information should be given to H. M. Ministers of the circumstances that have occurred in this colony, I have forwarded (by a very uncertain

conveyance, in which Lieut. Grant, late commander of the *Lady Nelson*, takes his passage) copies of all the papers and documents relative thereto, with a letter to His Grace the Duke of Portland. Captain McArthur, of the N.S.W. Corps, to whom they relate, will go from hence in the first conveyance, in a vessel by way of India. Captain McKellar, who takes his sword home, will also leave this in a whaler, which sails from hence about next February or March.

1801

5 Nov.

Macarthur
en route for
England.

4. We are now on the eve of reaping the finest crop of wheat that was ever seen in this country.

"Finest
wheat crop
yet reaped."

5. To my letters sent by the *Albion*,* and the returns enclosed therein, I beg to refer you for the state of the colony at the time they were made up.

6. I have a pleasure in informing you of the general regular and orderly behaviour of every description of persons under my command, which I have no doubt will continue permanent when the author of the late and many former discords turns his back on this colony, and during his absence from it, whether long or short.†

The colony
tranquil.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND

Sydney, New South Wales,

My Lord,

5th November, 1801.

By the *Albion*, whaler, I had the honor to send the trials and consequent proceedings respecting Lieut't Marshall, of the Navy, who came here as naval agent in the *Earl Cornwallis*.‡

Trial of
Lieutenant
Marshall.

I hoped that after the transmission of those papers your Grace would have had no further trouble on that head; but the circumstances which have since occurred, and are detailed in the enclosures, will inform your Grace that I have no other means of restoring and ensuring the tranquility of the colony than by sending Capt'n John McArthur, of the New South Wales Corps, to England under an arrest, as stated in the enclosed representation. It would have been very desirable if I could with any propriety have settled this business on the spot; but I humbly trust that when your Grace considers the situation I am placed in here, and how much I have had, and still have, to contend with, together with my reasons for not trying Captain McArthur by a Court-Martial, that my sending him Home under the arrest he has thought proper to continue himself in will be considered as an unavoidable part of my duty. Under the persuasion that I shall meet with that support I have been endeavouring to merit, by the

Macarthur
under arrest.He is sent to
England for
trial.

* The letters by the *Albion* were those of 21st August, 1801, ante, pp. 462 to 504.

† It may be presumed that Governor King here refers to Captain Macarthur, with whom at this time he was not on very friendly terms.

‡ See these lengthy proceedings, enclosed in Governor King's letter to the Duke of Portland of 25th September, 1801, ante, p. 524.

1801
5 Nov. Proper respect to the Governor.

most unwearied and unpopular exertions, to rescue this colony from the state it was plunged into previous to my arrival, I must humbly request that such an investigation of the accompanying representation may be made as to ensure the Governor of this colony that respect and support which he cannot act without, either with credit to himself or to the interests of the public and that of His Majesty's service.

Expenses of Macarthur's passage.
Captain McKellar.

It was my intention to have sent Captain McArthur to the Cape on his way to England in the Porpoise, but as that ship requires greater repairs than can be finished before it is too late in the season, Capt'n McArthur, at his own choice, goes Home under the arrest by way of India, in the Hunter, rather than waiting for a whaler. I have given the master of that ship £100 for his passage to Calcutta, and have requested the Governor-General of India to direct a passage for him on board one of the Company's ships, on the same footing as officers of his rank. I am much concerned at this expence, but it is at that price that the peace of the colony is ensured. Capt'n McKellar, of the New South Wales Corps, who has acted as my aid-de-camp and assistant in carrying on the public works, will embark in the first whaler* that goes direct for England, with Capt'n McArthur's sword, and duplicates of this despatch and those sent by the Albion. That officer will be able to give every information respecting the events which have rendered these measures necessary.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO MR. THOS. DUNDAS. (King Papers.)

Sydney, New South Wales,

6 Nov. Sir, 6th November, 1801.

Undesirable recruits.

I received your letter, dated April 21st, 1801, the contents of which I communicated to Lieut.-Col. Paterson, who declined receiving the persons you sent into the Corps.

A doubtful conveyance.

The conveyance this goes by is the first to carry the long-expected cargo of coals from this country to the Cape. She belongs to individuals, and is so miserable a tool that I think it is a great chance if she arrives safe.† Any quantity of coals of a very superior quality might be sent if we had vessels to convey them in, as we are now entering the mine. The coals that the brig takes, tho' very good, are not near equal to what we are now getting. I am sorry the want of a vessel belonging to the Crown prevents me putting the King's instructions of the 21st Dec'r, 1799, in force—that is to say, sending a cargo of coals to the Cape on account of Government.

A cargo of coal for Government.

* Captain McKellar embarked on the *Caroline*, American vessel.

† This vessel was the *Anna Josepha*, a prize captured by a whaler on the coast of Peru. Ante, p. 605.

It is necessary I should inform you that from a train of circumstances which have happened, and in which Lieut.-Col. Paterson has been dangerously wounded in a duel with Captain John McArthur, of the New South Wales Corps, I have been under the necessity of sending the latter officer Home under an arrest. He will leave this the first conveyance, which is by a vessel by way of India. Notwithstanding we have felt what is called a great scarcity here, viz. 6 lb. wheat and 2½ lb. maize each full ration per week, yet I have the pleasure to say that our crops have so very fine an appearance that we shall begin to reap in about a fortnight.

1801

6 Nov.

The
Paterson-
Macarthur
duel.A good
harvest.

Should a Governor-in-Chief be arrived, I have to request you will be pleased to apologise for my not having directed this letter to His Excellency.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

6th November, 1801.

HIS EXCELLENCY the Governor has been pleased to grant a Colonial Commission to Mr. Wm. House to be commander of His Majesty's armed Colonial brig Norfolk, for the purpose of enabling him to carry into effect the articles of war and regulations for establishing good government on board His Majesty's ships and vessels of war.

The
commander
of the
Norfolk.

The Governor desires that such persons as have been indulged with men off the store, and who have no wheat to reap, will give in a return of such men to Capt. McKellar on or before Saturday the 14th inst., that they may be employed by Government during the harvest. Such as do not pay strict attention to this Order will be deprived of any future indulgence from Government.

Convict
servants.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.*

Sydney, New South Wales,

Dear Sir,

8th November, 1801.

8 Nov.

The official letters respecting Capt. McArthur must speak for themselves. Had I not taken the steps that these events have made unavoidable this colony would have been in as great a confusion as it is now tranquil. I need not inform you who or what Captain McArthur is. He came here in 1790 more than £500 in debt, and is now worth at least £20,000. His fortune, and thro' accumulating gains in this colony, by the great quantity of stock and land he possesses, enables him to boast of his indifference of whatever change happens to him. His employment during the eleven years he has been here has been that of making a large fortune, helping his brother officers to make small ones (mostly at the publick expence), and sewing discord and strife. The points

Captain
Macarthur.His arrival
in the
colony.King's
description
of
Macarthur.

* This letter was marked by King "Private."

1801	I have brought home to him are such that, if properly investigated, must certainly occasion his quitting the New South Wales Corps and the Army. But come out here again he certainly must, as a very large part of his immense fortune is vested here in numerous herds, flocks, and vast domains. The sums he has remitted Home, altho' they cannot be ascertained yet, are considerable to make four such as myself happy. His plan of turning his stock of cattle and sheep to compound interest has been so glaring that nothing short of the measures I took (and are detailed in a separate letter) prevented him from coming upon Government for at least £18,000 in the course of two years, and at least £3,000 more every quarter after until his speculations were accomplished. However, that Government may not be imposed on, I have been obliged to treat this matter officially. Experience has convinced every man in this colony that there are no resources which art, cunning, impudence, and a pair of basilisk eyes can afford that he does not put in practice to obtain any point he undertakes. It is to these odds and the independance of his fortune that I have to oppose my exertions for the tranquillity of this colony, the welfare of the publick service, and my own reputation. Had I allowed Capt. McArthur to direct the concerns of this colony, and Col'l Paterson had allowed him to command the regiment, this perturbator would have so far remained in silence as first to turn the surrender to his own advantage, but not without scenting an opportunity to throw the colony into that confusion he has so lately failed in doing. However, as a very different conduct was pursued by me, persecution and opposition became Captain McArthur's system. If the records of this colony, now in your office, are examined you will find his name very conspicuous. Many and many instances of his diabolical spirit has shown itself before Gov'r Phillip left this colony, and since, altho' in many instances he has been the master worker of the puppetts he has set in motion. So sensibly wounded were Gov'r Hunter's feelings previous to his leaving this colony that he was obliged to call this perturbator to a private account,* which he declined. The injuries Col'l Paterson received from him have been such as to compel him to that resource; and I can assure you, sir, that nothing but the inevitable confusion and ruin the colony would have fallen into by any accident happening to me has prevented my sacrificing duty and the publick welfare to resenting the injuries I have received. If a Governor—nay, a succession of Governors—are to be thus treated, painful, indeed, will that man's situation be, if the very people who ought to afford him every assistance (in managing such a class as this colony is composed of) are allowed to treat him, his authority (which is the King's), and
8 Nov.	
A great fortune.	
An unscrupulous business man.	
Ambitious aims.	
"A worker of puppetts."	
Hunter and Macarthur.	
King's forbearance.	
Govern-mental authority must be asserted.	

* Hunter nowhere mentions this challenge, nor does any reference to it occur in the records of the period.

the necessary discipline of subordination with disrespect and contempt; and if this is allowed with impunity, unhappy must be the lot of both Governor and governed.

1801
8 Nov.

In my letter by the Albion I observed that if any part of my conduct was disapproved of I hoped for being removed. At that time I did not foresee this additional cause of representation. If it is fully investigated, I have no doubt the cruel situation I have been placed in will be evident; nor can I doubt the support of my superiors, in what I must ever consider as my absolute duty throughout these occurrences. Situated as this colony was when I took the command, every step I took clashed so much with the interest of trading individuals, both commissioned as well as uncommissioned, that all set their wits to work, not only to thwart my exertions, but also to use every measure that art, cunning, and fraud could suggest to impede my efforts. Mere oppositions, my conduct and orders will plainly evince, I have not only withstood, but I have also the satisfaction to see that these measures of mine have generally succeeded in rescuing the inhabitants and the public purse from the monopolies and extortions that have been so long practised on both, to the enriching Capt. McArthur, Mr. Balmain, and the late Acting Commissary, with a few other favored individuals. Whatever events Gov'r Hunter's recall may have produced, be persuaded, sir, that he (although made a tool of by the artful and designing friends he had in this colony), honest and upright as he was himself, was sadly duped and deceived by those he had about him. Events and facts fully prove this assertion.

King's
unenviable
position.

The
monopolists'
arts.

Hunter's un-
suspicious
nature.

To effect the points gained I have throughout acted on my own responsibility without a single written instruction,* except the copy of the King's Instructions left by Governor Hunter, which were very unequal to meet a hundredth part of the excesses I wanted to remove, one instance of which is a prosecution I am threatened with in the Court of King's Bench for staving a quantity of spirits belonging to a licenced agent who was detected buying up the convicts' provisions as they were issued from the stores, for which purpose the huckster is gone to England, and is to be supported by the principal—Captain John McArthur. Matters and villainy had gone so far that when I took the command it required much precaution, and at the same time decision and new measures, to check the foul doings of all civil actions, for payment of spirits at £8 per gallon were not unusual. From that curse I have nearly released this colony, and for which no poor devil was ever so much execrated. An effort has been made to recover at £3 per gallon for what cost 6s. This was attempted since I took the command; however, in consequence of my Ordinance, it failed. Nevertheless, a doubt arose with the Civil Court: whether my orders to restrain actions of that kind to 20s. per gallon was sufficient!! When no

King's decl-
ative
conduct.

A fraudulent
licensed
victualier.

High price
of spirits.

* Governor King referred to this omission in several of his despatches, ante, pp. 183, 190, 203.

- 1801
8 Nov.
The drink
curse.
- King's unseel-
ish conduct.
- Bon homme*
Pateron.
- Economical
government.
- Macarthur's
enmity.
- Pork supply
from Ota-
heite.
- more spirits are brought here, which must very soon be the case, I make no doubt of that industry, peace, and comfort which is now beginning to shine through the black clouds of monopoly that has hitherto clouded it, continuing and increasing as it has begun.
- Having taken up so much of your attention, I hope you will excuse my again repeating that if the measures I have adopted and am pursuing should be approved, it will be my duty to sacrifice everything that is comfortable to myself for the furtherance of what I have undertaken ; but if the contrary should be the case, I hope a more eligible person will be sent out, as I have not the most distant wish to remain here an hour beyond the time my services are approved of, and until then I shall persevere in the path I have ever followed, notwithstanding I stand alone and goaded by the artifice of thieves and the duplicity of the tools I have to govern. Among the official correspondence you will observe my reply to a paragraph written by that *bon homme* Pateron to Sir J. Banks, complaining "of my too great economy having occasioned the present scarcity." Had I not used that and much other economy which cannot be detailed here, all that Captain McArthur and some others wished me to purchase would now be condemned (for the reasons given in reply to that artful assertion), and I might have drawn for £30,000 a year, as has been usual, whereas with the addition of six hundred people in the course of last year our expences have not exceeded what is stated in the official documents sent with this. Every engine that art, cunning, and impudence could invent were used to induce—nay, almost oblige—me to raise the price of wheat from 8s., which I reduced it to when I took the command, to 15s. the bushell ; but being determined that neither scarcity or plenty should influence the price, the solicitation and disguised threats ceased, but bitter resentment is cherished by those who have large debts to collect from former extortions. Judge, sir, from all this (which is no imaginary statement) how uncomfortable it is for any man to do his duty, goaded and perplexed as I have been, either with satisfaction to himself or advantage to the public interest ; and had I preferred ease and quiet, and chosen to continue Captain McArthur arbiter of the colony, you would have heard nothing of this. If it appears I have done no more than my duty, I cannot doubt the most decided support. I shall close the subject by observing that if Captain McArthur returns here in any official character it should be that of Governor, as one-half the colony already belongs to him, and it will not be long before he gets the other half.
- We now feel the loss of another King's ship to send to Otaheite for pork. What sums might not have been saved if the *Reliance*, *Supply*, and *Buffalo* had been employed in getting supplies from thence. It certainly is subject to the caprice of the natives, but with proper management and well-timed presents I hope we shall

always keep on good terms with them. To make any settlement there would be, in my humble opinion, very impolitic and destructive to those islanders. As I have particularly stated how far this new resource ought to be considered as an eventual supply, I hope some salt meat will continue to be sent, and that what I have already [done] in contracting the expences will convince you that I shall persevere throughout in spite of every obstacle,

I am, &c.,

PHILIP GIDLEY KING.

P.S.—I hope my agent will have no difficulty in getting my full King's pay. I can assure you I have already earned it.

GOVERNOR KING TO MARQUIS WELLESLEY. (King Papers.)

Sydney, New South Wales,

My Lord,

11th November, 1801.

11 Nov.

With this I have the honor to transmit the enclosed despatch for His Grace the Duke of Portland, containing the charges and other documents respecting Capt. Jno. McArthur, of the New South Wales Corps, who goes to England under an arrest by way of India in the Hunter bark. On his arrival at Calcutta, I have to request your Excellency will have the goodness to direct a passage for himself and servant in the first of the Honourable Company's ships bound to Europe at the price paid by the Honourable Company or Government for officers of his rank going from India to England, which I respectfully request your Excellency will allow the proper officer to draw for on His Majesty's Treasury, presuming that will be the proper mode of defraying that contingent expence of this colony.

Captain
MacArthur's
arrest

His passage
to England

I also take the liberty of requesting that the accompanying despatch may be transmitted with your Excellency's despatches to Government in the ship Cap. McArthur embarks on.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO CAPTAIN MACARTHUR.

13th November, 1801.

13 Nov.

By Philip Gidley King, Esq're, Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales and its dependencies, &c., &c.

MacArthur
to embark on
board the
Hunter.

You are hereby required and directed to embark on board the Hunter, barque, on your way to England. On your arrival at Calcutta you will report yourself to His Excellency the Governor-General, and wait his directions for embarking on board the first ship bound to Europe, where, on your arrival, you will report yourself to His Majesty's Principal Secretary of State for the Home Department, for which this shall be your authority.

Given, &c.,

PHILIP GIDLEY KING.

1801

13 Nov.

Transport
expenses.

ESTIMATE of the Expense for conveying Convicts to New South Wales.

An estimate of the expense of the two following ships, hired in June, 1801, to carry 340 convicts from Ireland to Port Jackson in New South Wales.		An estimate of the expense of two ships, the <i>Comorandel</i> and <i>Pereus</i> , hired the 27th October, 1801, to carry 250 convicts and passengers from London to Port Jackson in New South Wales.		An estimate of the expense of the two following ships, hired the 10th November, 1801, to carry 300 convicts from Ireland to Port Jackson in New South Wales.	
£	s. d.	£	s. d.	£	s. d.
<i>Hercules</i> —408 tons.				<i>Rolla</i> —438 } To carry 300 persons	
<i>Atlas</i> —414 "				<i>Atlas</i> —547 } at £12 18s. per head	3,370 0 0
850 tons at £16 17s. 6d. per ton	14,343 15 0	250 Convicts, at £15 per head	3,750 0 0	Surplus tonnage, 100 tons, at £4 per ton	400 0 0
Making prisons, accommodations, &c.	778 3 3	Expenses of 86 additional men as guards	2,700 0 0	Building prisons and other accommodations	850 0 0
Clothing, iron, medicines, sundry articles of comfort for the sick, such as tea, sugar, barley, rice, spices, soap, &c.	1,000 0 0	Building prisons and other accommodations	800 0 0	Clothing, iron, medicines, sundry articles of comfort for the sick, such as tea, sugar, barley, rice, spices, soap, &c.	675 0 0
Provisions for the voyage for 340 persons for six months, at 1s. 9d. each per day	5,365 0 0	Clothing, iron, medicines, sundry articles of comfort for the sick, such as tea, sugar, barley, rice, spices, soap, &c.	562 10 0	Provisions for the voyage for 300 persons for six months, at 1s. 6d. each per day	4,060 0 0
Provisions for 340 persons for nine months after their arrival, at 1s. 9d. each per day	8,082 10 0	Provisions for 250 persons for nine months after their arrival, at 1s. 6d. each per day	5,082 10 0	Provisions for 300 persons for twelve months after their arrival, at 1s. 6d. each per day	3,100 0 0
	229,509 8 3		£16,610 0 0		£217,945 0 0
The expense for each person will be	268 15 10	The expense for each person will be	£68 8 9	The expense for each person will be	259 18 4
No demurrage is reckoned in the above charge, but from the length of time ships are usually detained by the Government in Ireland, a further expense on that account will be incurred.					

Transport Office, 13th November, 1801

THE REV. SAMUEL MARSDEN TO GOVERNOR KING.*

1801

Sir,

Sydney, 14th November, 1801.

14 Nov.

In answer to yours of the 6th inst., calling upon me to inform you what particular language Captain McArthur made use of previous to your Excellency coming to Parramatta after the Albion sailed, I recollect Captain McArthur saying the day your Excellency was expected up at Parramatta, that before you had been there twenty-four hours he would open such a scene to you respecting the Lieut.-Governor's conduct, as (Captain McArthur appeared to me to be confident) would effectually accomplish the object he had in view, viz., to bring the Lieut.-Gov'r under your Excellency's displeasure, and to create a dissension between you.

Marsden repeats a conversation.

I am, &c.,

SAML. MARSDEN.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sydney, New South Wales,

14th November, 1801.

Sir,

To prevent Government being drawn into a very heavy expence it appears my duty to state the following particulars.

By Governor Hunter, who left this colony in October, 1800, I transmitted to his Grace the Duke of Portland, Captain McArthur's proposal for selling his stock and farms to Government, of which the enclosure is a copy.† As the price of stock then was, and it being so desirable a circumstance for Government to repossess his extensive farms, I recommended those proposals being acceded to; and even was I allowed to purchase them and the farms it would be highly advantageous to the Crown, were it only for the wool of the sheep. But Captain McArthur has thrown a great objection in the way of Government making that purchase, as he has not only purchased up 1,400 sheep within a few days before he embarked, and several head of cattle, in addition to the great numbers he had before, which he has signified his determination of being considered as included in his proposals at the prices stipulated—i.e., £37 a head for the cattle, and two pounds ten shillings for the sheep, including those he has lately purchased. The present price for cattle, according to contract with Mr. Campbell, is £28 per head for the cattle, and not more than two pounds was given by Captain McArthur for the 1,400 sheep he purchased lately, with 1,000 acres of land included. He has also informed me that supposing I am authorised to make the bargain for the stock contained in the proposals, and should choose to take to myself the responsibility of purchasing the great quantities of stock he has since purchased and its increase, that nothing can be concluded on until he is informed thereof from this country, and until his answer is received, which would consume at least two

Macarthur's stock.

The wool clip.

Purchase of Macarthur's sheep by Crown.

A deferred settlement.

* See also Marsden's letter of 24th September, ante, p. 573.

† Ante, p. 114.

1801
14 Nov.

A profitable
speculation.

years before the bargain could be closed, at which time I have no doubt but the price of cattle and sheep will be reduced one-half; but according to his proposals he is to be paid £37 a head for his cattle, when they may not be worth more than £20 a head; two pounds ten shillings a head for the sheep, when they may not be worth more than one pound ten shillings. This, calculating the common increase of the stock, will occasion a demand of at least £19,000 on the public. Such is the compound interest Captain McArthur doubtless has in view from the line of conduct he has pursued on this occasion, which compelled me previous to his departure, and before the receipt of His Grace's last dispatch, to relinquish any design of treating any further on behalf of the Crown for his extensive concerns on my own responsibility. I have considered it my duty to say this much on a subject that might eventually be embarrassing to the Governor of this colony and to Government at home.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sir,

Sydney, 14th November, 1801.

Altho' I have written so fully by the *Anna Josepha*, yet, as that conveyance is very uncertain, I take this opportunity by an American ship* of sending such official information as appears necessary.

The arrest of
Captain
Macarthur.

His
influence
and wealth.

A dangerous
colonist.

Aiming at
the
Governor-
ship.

As it became a doubt whether I was to be allowed exercising my duty without the concurrence of Captain McArthur and his party, I have been obliged, from the events that have followed, to send him Home under an arrest, and with such proofs of his having attempted to create dissensions between me and Colonel Paterson that I cannot help regarding them as fully conclusive. If ever Captain McArthur returns to this colony I shall feel much for its concerns. Half of it belongs to him already, and he very soon will get the other half. Fully relying on the support I shall receive, I shall endeavour to entertain as little anxiety as possible respecting what may be the issue of these events. As I trust an impartial investigation of them will be made, I cannot doubt but that he will be prevented returning to this colony, where a few years' residence has been employed in accumulating a large fortune and creating discord and strife. And should it so happen that he is allowed to return here in any official capacity it should be that of Governor, for that office he has ever aimed at, and had I chosen to resign the concerns of the colony to him you would have heard nothing about this, but the Treasury would have had some good pulls on it.

* Probably the *Caroline*, in which Captain McKellar took his passage to England.

Soon after I came here he prevailed on me to make an offer of his stock and farms to Government, which he valued at £4,000. I did so, and recommended it as an advantageous acquisition to the public. The stock were valued at a certain sum a head, and their increase to be taken at the same rate when approved of, which approbation I expect very soon to receive. Since his being put in arrest he has purchased up 1,500 sheep, besides horses and cattle, with some very extensive farms belonging to individuals. Those, he informed me, he expected Government were to take on the same terms; but should the approbation arrive after his departure, no purchase could be concluded on until he was consulted in England. This opened a case of compound interest which would have ended in his having a claim on Government in two years' time for at least £20,000. I have consequently informed him that, whatever answer might be received to his original proposals, I should defer taking any further notice of them. This is one of this great monopolist's traits. By his securing such an abundance of sheep he has secured the wool. I shall write officially on this subject, but have mentioned the above to prevent Government being imposed on by this rich Botany Bay perturbator.

1801

14 Nov.

MacArthur's stock and farms

offered to Government

A wealthy monopolist.

I am, sir, labouring hard, both in body and mind, on one of the most severe tasks ever imposed on a man. Every step I have taken has been the most unpopular. To eradicate, or even remove in part, the systems that have been pursued here is wounding the interest of every individual in the colony. Confident of justice being done in Captain McArthur's case, I must rest my confidence on the Supreme Disposer of events, under the firm conviction of having acted an indispensable part.

King's difficulties.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

14th November, 1801.

My Lord,

With this I have the honour to enclose a duplicate of my separate letter, A, and such enclosures as are not made up to this date, and the end of the Sept'r quarter, sent by the Albion, which are annexed to this letter.*

Enclosures.

The quantity of coals we procure from the coal harbour has occasioned a great demand for iron to make grates and ranges for the barracks, guard-houses, &c., which will turn the great proportion of public labour hitherto employed on these objects to that of agriculture; and the great success the Porpoise has met with in procuring pork at Otaheite, requiring iron to work into tools for barter, and the want of flat iron to make salt pans, induced me to purchase a quantity of iron from the Earl Cornwallis for those public purposes.

Demand for iron.

Supply per the Earl Cornwallis.

* These duplicates are not reprinted.

1801
14 Nov.
Arrival of
cattle

By the Hunter, bark, lately arrived from India, seven cows and two cow calves were brought for sale, which I directed the Commissary to purchase at the contract price, i. e., £28 a head for the cows, and £10 a head for the calves.*

and food
supplies.

Exclusive of the quantities of wheat, maize, and animal food received into the public stores for articles supplied therefrom, and copper coin, the quantities, as per Voucher No. 8, have been given into the stores since the 30th last June by those who have purchased articles from the whalers' investments received into the stores and sold from thence, as stated in my letter No. 4 per Albion†; to liquidate which I have directed the Commissary to draw for payment on His Majesty's Treasury in favour of the owners to whom the investments belong. These expences being indispensable, I hope for your Grace's approval thereof.

Accounts
forwarded.

As the year since I took the command is now expired, I have directed the Commissary to make out an account of all the contingent expences in the colony in that period, which I have the honour to submit to your Grace's inspection, as well as a statement of the remaining provisions, and what will be wanting to compleat the salt meat to the 31st Dec'r, 1802, with an estimate thereon.

As this has ever been the most painful part of my duty, I hope the above references will give your Grace the fullest explanation of what has and what may be necessary.

Pork from
Otaheite.

From what I have observed in my general letter No. 5,‡ sent herewith, your Grace will observe how necessary it is to continue supplying the colony with salt meat for those necessarily maintained at the public expence (to prevent our present increasing and prospering stock of breeding and labouring cattle being killed). No exertions of mine will be wanting to procure as much as possible from the Society Islands, well knowing the heavy expence of salt meat in England at this period; but that resource depending so much on the caprice of the natives, and should any want of animal food occasion the cattle being killed, the future resources of this colony will be most effectually destroyed. I therefore respectfully submit these circumstances to your Grace's consideration.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord,

14th November, 1801.

By the Albion, whaler, I had the honor of addressing your Grace. Duplicates will be sent by the first direct conveyance, which will be by a whaler that sails about next March.

* According to the agreement (ante, p. 314) the price of the calves was to be £8 8s.
† Ante, p. 463.

‡ Letter No. 5 is the one which follows.

nce my last I have formed a small settlement at the Coal Har-
 , where coals are obtained in the greatest abundance without
 ng a pit. This settlement consists at present of a magistrate,
 oral, and five privates, with sixteen convicts, who are employed
 ng coals for such Government vessels as are sent for them.
 Cornwallis and Hunter have each taken 100 tons to Bengal,
 a brig belonging to an individual is loaded with 100 tons,
 d to the Cape of Good Hope. A great quantity of excellent
 ck has been found in Hunter's River, and I have no doubt
 at settlement being of great use to this colony. The engineer
 surveyor* are now there, compleating the survey of that har-
 , Hunter's River, and the interior. Coals being now used for
 ublic purposes greatly assists the public labour. Any quanti-
 might be sent to the Cape, but as the Porpoise has been, and
 be, more advantageously employed, I have no vessel to send
 belonging to the Crown.

1801

14 Nov.

Newcastle.

The estab-
lishment.A dyeing
material.Coal avail-
able for
export.

my last I informed your Grace of my having sent the Por-
 to Otaheite to try if salt pork could not be procured from
 Society Islands. She left this the 23rd May, arrived at
 eite the 26th June, stayed there till 14th August, and arrived
 the 2nd ult'o, with all the casks she carried filled with
 30 lb. of excellent salt pork. In this place I beg to express
 great satisfaction I feel on Mr. Scott's (the commander of the
 oise) conduct on this service, which will convince how great
 opect there ever has been of the Society Islands affording
 resource which, altho' not quite certain, yet it is a great satis-
 on to know it is at all attainable, and still more facilitated by
 salt-works being perfected so as to supply our wants.

Pork from
Otaheite.A fortunate
resource.

the Porpoise's foremast and bowsprit being rotten and con-
 ed, and much copper being off her bottom, it will be necessary
 eave her down or lay her on shore, which will prevent my
 ing her to Otaheite in quest of more pork before next
 uary. But in the meantime I am sending a small Colonial
 l (the Norfolk, of fifty-six tons), under the enclosed orders,†
 from the assurance of the chiefs and missionaries (whose corres-
 ence is enclosed), I have great hope of getting supplies. The
 ner will be against using it so well as when the Porpoise was
 in the winter. However, I think it adviseable to keep up
 orrespondence I have so successfully begun, as I am certain
 Porpoise cannot be better employed, altho' she will not bring
 than 100 tons. It is now that the colony misses the services
 o such convenient ships as the Supply and Reliance. From
 tate the Porpoise will be in after another year I am appre-
 ve I shall be obliged to send her Home for such repairs as she

Refitting the
Porpoise.Short of
shipping.

**Mr. Barrallier and Grimes.*

†*These orders are the same as those given to the commander of the Porpoise under
 circumstances—ante, p. 369. The Norfolk was wrecked at Otaheite.*

- 1801 cannot get here ; and as I understand the Investigator is to be
 14 Nov. solely employed on discovery and surveying, the colony will again
 be without a ship to avail ourselves of that resource, if the Buffalo
 or some other ship is not sent in her stead.
- Indian cattle. In my former despatches I stated having contracted with an
 India merchant, resident here, to bring from Bengal 150 cows at
 £28 a head. When they arrive there will be as many belonging
 to the Crown as can be advantageously taken care of, as it is
 necessary now to erect extensive stockyards for the cattle Govern-
 ment now possesses, which will be greatly increased next year ;
 still it will be necessary to continue the supply of salt meat for
 The salt meat supply. some time to come, as stated in my last, to prevent killing that
 stock which has been procured at so great an expence, and if
 reduced to that necessity the whole will be to go over again ;
 whilst our present prospects are such that in a very few years this
 colony will be totally independant of the mother country for meat.
 Much of the expences attending salt meat will, I hope, be greatly
 reduced by procuring it from the Society Islands, and it is with
 Price of pork. that view I have engaged to take as much salt pork at 6d. per
 pound as can be brought here (from those islands) from Mr. Bass,
 late surgeon of the Reliance, who now commands a small vessel
 navigating in those seas, the saving of which to the Crown I
 have stated in the enclosure, as well as of that brought by the
 Porpoise ; but as both these modes of supplying the colony are
 quite eventual, and depending so much on the natives' caprice, I
 respectfully beg to suggest the propriety of a supply of salt meat
 being continued as stated in the enclosure, which is the only
 means of ensuring the success of our present very fine stock of
 breeding cattle, nor can there be a finer grazing country.
- The wild cattle. Of the wild cattle I can say but little from my own observation
 as yet, my numerous and constant avocations having hitherto
 prevented me from going where they frequent ; but I hope ere
 long to make a report from my own observation. Some time ago
 a drum was accidentally beat in the woods ; the herds of tame
 cattle, most of which were scarcely within hearing, came with
 great haste to the spot and surrounded the drummer. From this
 circumstance, two men accustomed to the place where the wild
 cattle resorted were sent with a drummer ; on their return they
 reported that they went to the mountains, and having fallen in
 with tracks of the cattle on this side the Nepean, they soon after
 discovered a herd of near three hundred, and on beating the drum
 the cattle advanced, but, on seeing the men, run away. They tried
 the experiment of beating the drum twice, and had the same
 effect—a proof they may be drawn together by that means ; and
 this certainly may lead to our hitting on some plan to take them
 hereafter. It is generally thought by those who know the moun-
 tains that the cattle never will be able to pass that barrier, and
- A novel way of mustering cattle.

that in the course of time they will return towards Parramatta ; but it is much to be apprehended that the fugitives who frequently wander in the woods will destroy many of them. Nevertheless, leaving them in the situation they are in for some time longer appears the most advisable measure.

1801

14 Nov.

In my late muster and visit thro' all the settlers I have had reason to distinguish some few who have been very industrious, and who never had any stock given them. As an encouragement to people of that description I have given some two and others one ewe sheep. About fifty are distributed in that manner ; and as it has always been a custom to let the sick in the hospitals be at the same ration with those who are well. I have changed that system (at once expensive to the Crown and ruinous to the sick, who bartered their salt meat for spirits, of which there has been plenty about the hospitals), and ordered the surgeon to put them on a proper diet, for which purpose they are furnished with a proportion of mutton from Government wethers in lieu of the salt meat. As I am very anxious to encrease and improve the quality of the wool, your Grace will observe by the enclosure* the quantity of sheep Government possesses, not one of which (except the lambs yeaned since my taking the command) have any wool ; but as I exchanged some wethers for three half-bred Spanish rams in Dec'r last, Government will in time get into that valuable commodity. It has not been so with the flocks now belonging to individuals who have had the advantage of Spanish rams, by which their flocks are becoming covered with wool, and in a daily state of improvement. In my letter by the Albion I informed your Grace that Major Foveaux, now Act'g Lieut't-Gov'r at Norfolk Island, had applied to me to purchase his stock of sheep, which I declined without previous permission, and referring your Grace to that officer for his proposals by the Albion, which I find he was unable to do through not knowing their exact numbers. However, since then it appears that Captain McArthur has purchased the whole of that officer's stock of sheep and his very extensive farms.

Reward for industry.

Fresh meat for the sick.

The wool clip.

Foveaux's sheep.

Respecting our prospects in grain, I am happy to say that it is not only my observation but that of those who have been longer acquainted with this part of the colony, that the settlers are renewing their former industry, and as they are very short of the stimulous, that has so long prevailed, I have my hopes that the prediction of those whose interest is greatly concerned in its being accomplished, viz't: "that the want of spirits will put a stop to all agricultural industry," will fail, and that every man will enjoy the fruits of his own industry. By the letters sent per Albion your Grace will have observed that the frequent inundations at our principal agricultural settlement (the Hawkesbury) during the last year occasioned a reduction in the full ration of grain,

Agriculture.

An improving prospect.

* See the return of Government stock, 1st November, 1801, ante, p. 607.

1801
14 Nov.
A bountiful harvest.

which I hope will hold out till the harvest is got in, which begins in about four weeks. As I am lately returned from a visit to all the settlements, it gives me great pleasure to say that the crops of wheat promise an abundant return for the quantity of grain sowed. No exertions of mine have been wanting to enforce œconomy among the settlers, a quality they have never yet possessed.

The spirit traffic.

So great was the fame of the propensity of the inhabitants of this colony to the immoderate use of spirits, and the certainty of getting any amount of payment in Government bills, that I believe all the nations of the earth agreed to inundate the colony with spirits. In my letter by the Albion I stated the Naval Officer's report of the quantities imported and sent away, a duplicate of which, made up to the present time, I have the honour to enclose, by which and my former communications on that subject your Grace will observe that the vile character the inhabitants of this colony has had may be retrieved, if not voluntarily, it will be by the measures that has been taken to rid it of that curse.

Restrictive measures.
Demeanour of the Irish convicts.

I have a great pleasure in informing your Grace of the general regular and quiet behaviour of those deluded people, the Irish, lately sent from that country, and who have given so much trouble both here and at Norfolk Island. Should it be thought proper that those characters among them who have left families in Ireland may become the object of His Majesty's mercy, I shall, on its being notified to me (as requested in my letter by the Albion), feel a pleasure in selecting from among them those who are deserving of that clemency.

Free settlers.

Two of the settlers who came in the Earl Cornwallis have been some weeks settled, and are doing well. I should be glad if I could say as much of the third, who is totally unqualified for any labour or exertion whatever, either of body or mind. This unfortunate man, who has a large family, must be fed at the public expence, or certainly starve. I have mentioned this circumstance in order to show how much Government is imposed on in the description of people who are recommended to be sent here as free settlers, without either property to employ others, or abilities to work themselves, and having generally large families; by which unfortunate selections, exclusive of their passage-money and provisions, that cannot amount to less than £150 for each family, they cost Government at least £250 more in provisions, labour, &c., before the time comes when they are to provide for themselves; and it often happens that period discovers their total incapacity and idleness, and that being continued to be fed at the public expence is the only means of saving them from perishing. Such is the case now with many of the free settlers who came from England. The description of people to allow a passage and maintain in this country for the time limited are farmers and graziers,

Undesirable characters.

The proper class of free settlers.

who being used to procure their food from the earth, do not depend on getting it out of a public store. It is also necessary that those people should possess some little property to make a commencement with, whereas those that have hitherto been sent have scarcely been clothed, consequently every expence falls on the public. In this place I beg to suggest to your Grace that among the convicts sent by the Royal Admiral and Earl Cornwallis, not six carpenters or other useful artificers or mechanics could be found. If this colony had the advantage of having such mechanics and artificers* as are transported sent out here instead of being detained in the hulks and in houses of correction at Home, a great advantage would arise from possessing some people of that description, instead of the numbers that are almost entirely composed of the worthless London pickpockets who are incapable of any honest or industrious exertion beyond what they absolutely are compelled and driven to.

1801

14 Nov.

Artisans
required.

Since grain has been so very scarce among the settlers the natives have been exceedingly troublesome and annoying to them, which has made it necessary to allow them to repel their predatory attacks. It is much to be apprehended that they are incited to several acts they have committed by some worthless vagabonds who have associated with them for the express purpose of plundering the settlers. However, I hope when grain is more plentiful this inconvenience will cease.

Hostile
natives.Incited by
escapees.

The events consequent on the representation I forwarded to your Grace by the Albion, respecting Lieut't Marshall's trials, &c., has rendered it necessary to send Capt'n John McArthur, of the N.S. Wales Corps, to England, under an arrest, by way of India, with my representation and proofs of the endeavours he has used to create a dissension between me and Lieut't-Col'l Paterson, commanding the N.S. Wales Corps and Acting Lieut't-Governor, who was very badly wounded in a duel with Captain McArthur, occasioned by his (Colonel Paterson's) not choosing to join him and other officers in treating me with disrespect. I have sent a copy of those documents by a very uncertain conveyance, and, as originals will be forwarded in the ship Capt'n McArthur goes to England in, and by Captain McKellar, who takes that officer's sword Home in the first whaler that sails from hence, I shall not trouble your Grace with a copy thereof by this conveyance—an American going to Canton. It would have given me much satisfaction if this disagreeable occurrence could have been settled here; but I trust, when your Grace is informed of the unavoidable necessity of my referring it to England, that it will appear I could not have acted otherways than I have done (in sending Capt. McArthur Home), either with safety to the tranquility of the colony or of the N.S. Wales Corps.

Lieutenant
Marshall.The
Paterson-
Macarthur
duel.The neces-
sity for
Macarthur's
arrest.

* Ante, p. 502.

1801
14 Nov.
His passage
to England
via India.
Opposition
to King.

Captain McArthur left this in the Hunter for Calcutta, from whence he will be forwarded by His Excellency the Governor-General, to whom I have written (of which the enclosure is a copy*) to send him by the first ship bound to England after his arrival at Calcutta.

I have a pleasure in assuring your Grace of the general regular behaviour of the inhabitants, and wish I could say as much of those whose support I ought to have, instead of the opposite tendency their conduct has shewn.

I have, &c.,

PHILIP GIDLEY KING.

THE DUKE OF PORTLAND TO LORD HOBART.

15 Nov.
High testi-
mony to
Collins's
conduct.

My dear Lord, Sunday, 15th November, 1801.

Lt.-Col. Collins, late Judge-Advocate in New S. Wales, has called upon me for the testimony of my opinion of his merits and of the treatment he has experienced. I therefore cannot refuse him the justice he solicits, and I assure your Lordship that to the best of my knowledge and belief he discharged the duties of the offices which he filled (for he was, I think, Secretary as well as Judge-Advocate) with perfect satisfaction to his employers and great credit to himself; that by remaining in that settlement, which he did at the instance of the Governor, he lost the rank which he would otherwise have held in the corps of marines to which he belongs, and that he has not as yet received anything like an adequate compensation for the services he has render'd. I therefore shall be very glad to hear of his obtaining any compensation for his disappointment and hopes, and shall be very happy if my testimony can contribute to the accomplishment of anything that can tend to his advantage.

Good wishes
for his
welfare.

I am, &c.,

PORTLAND.

GOVERNMENT AND GENERAL ORDER.

17 Nov.
Outlaws.

17th November, 1801.

WHEREAS W—— K——, T—— T——, and T—— B—— have by regular form, been outlawed, and are known to associate and commit violent acts of depredation in conjunction with the natives whom they excite to the most diabolical and outrageous offences on the public, the Governor is pleased to offer the following reward for apprehending them.†

Rewards for
their arrest.

To a prisoner for life or fourteen years, a conditional emancipation.

To a person already conditionally emancipated, a free pardon and a recommendation for a passage to England.

To a settler, the labour of a prisoner for twelve months.

* Ante, p. 615.

† See also Government and General Order of 22nd November, 1801, post, p. 629.

to any other description of persons, twenty gallons of
and two suits of slops. 1801
mitigation of the punishment due to the above offenders 17 Nov.
tally depend on their immediately surrendering themselves.
PHILIP GIDLEY KING.

r. M. MASON TO GOVERNOR KING. (King Papers.)

Hunter's River, 21st November, 1801. 21 Nov.

I am sorry to hear of your Excellency's indisposition, and
y wish you better. I have 3,820 baskets of coal at hand, The coal
tons, if the baskets hold one hundredweight each. output.
With
inors and three carriers I rais 180 baskets, or 9 tons a day.
an do this in five hours. One mine is 34 yards under
; one do., 31; one do., 27; one do., 10. I can set nine
inors to work immediatly, and with one drawer for each
; 190 tons per week. The strata of coal we are now work- The various
3 foot high, out of which there is 14 inches of clay and strata.
abbish, so we have but 22 inches of neat coal; over this
; a strata of 18 inches good coal. In Fresh Water Bay
open a mine where there is a strata of 3 foot neat coal
he above two stratas; the coals are of supereor quality. I
ie cask as a specimen by this conveyance. I can open Extensive
o set twenty men to work in Fresh Water Bay; if there deposits of
; minors in the colony then many ruffens may be made coal.
inors, and a wharf may be run out to reduce labour, that
ooner may be laden by twelve men in twelve hours if she
in the same situation where Mr. Palmer's sloop loads.
a good working minor; I believe him to be a good man,
cannot see much further into the ground than his pick
Leveling and dialing are two necessary accomplishments
loring those hills and conducting mines to save labour
rey of the water. In boath I am deficient; but if your
ncy will allow me James Meehen (who is with Mr.
) for two or three months when Mr. Grimes can best
im, I can acquire it, and at the same time learn to survey
known or unknown country. I have not mentioned this
Grimes least he may supose I wish to interfear with his
nent. That is not the case; it is to serve myself and
me to ascertain where to open any of the hills to the most
Nothing can be done at fishing with hooks and lines
the loss of time. The aidagong [aid-de-camp] Kirkwald
p the river with Mr. Grimes and Barallear; he returned Hunter
The small boat is still employed in the survey, so we have River
boat, and if the schooner returns cannot load her without survey.
are but eight working hands, so that nothing hath been
If lime be an object I can have a shipload at any time, Lime.

- 1801 without the ashes being mixt with it. The report of the country is rather unfavourable. Mr. Grimes and Barallear has found the natives disposed to be hostile. Between sixty and seventy came in here (men, women, and children) without spears, and manifested the most friendly dispositions. I fel in with a party some distance up the river who seemed to oppose our landing. I ordered the boat to pull from them, and called to some in their knoes [canoes], one of which had paid us a visit. We landed with him, and soon had an interview with his friends, about thirty men, women, and children, but many of them trembled when they shook hands with me. They saw we would ground the boat, and two of them came after us and paddled before us in their knoes [canoes] to shew us the deep water, and then pushed the boat over a small bank of mud. One of them came in here and stol two blankets ; he had been drinking sperits when he came in. The mistry is where he got the sperits. The soldiers went after him. I posatively charged them not to shoot him ; we suspect there are white men with them. We have about eight days' provisions in store after this day's issue. I have issued forty-eight pounds of flour and twenty-four of pork to Mr. Palmer's men. The storekeeper has sent the receipt to the Commissary's Office. I put two of them to public labour one week, as they were not at work for Mr. Palmer. We are in want of lamps with covers to prevent spilling the oil when they are upset in the mines, oil and candles, soap, a whip saw, door locks and hinges, bricks for chimneys, unless your Excellency directs them to be made here. The soldiers have applied to me for grates and a man to fetch them coals and water. I have allowed Corporal Wextead the woman he brought with him, and the privates one woman to wash for them. George Plat, one of the soldiers, has applied for two blankets in lieu of them stolen by the natives. I wish to have for my own use a fusee, if there are any in the store, two pounds of gunpowder, six pair of small brass hinges and three small locks, 200 brads, a little glue, and a pair of scrues to make a press for flowers.
- 31 Nov. Natives. Theft. Mine lamps and material wanted. Various re-quirements.
- I have, &c.,
M. MASON.

GOVERNMENT AND GENERAL ORDER.

- 22 Nov. 22nd November, 1801.
- The guard at George's River. A DETACHMENT at George's River is to consist of a sergeant, corporal, and six privates until further orders, who are to be posted as follows :—A sergeant and four privates at Major Johnston's, a corporal and two privates at Sergeant-major Jamieson's or Corporal Teutrill's. This detachment is to prevent the natives from firing the wheat, for which purpose a private will patrol occasionally from daylight till nine o'clock at night, and one private to be always ready during the night as a picquet. They
- Incendiary natives to be shot or captured.

fire on any native or natives they see, and if they can, 1801
 e them with a chance of overtaking them. Every means is 22 Nov.
 used to drive them off, either by shooting them or otherwise,
 care always to leave one private where posted.
 aptain is to inspect that post once a week. Similar orders The outposts
 be given to the outposts from the Parramatta detachment; at Parra-
 matta.
 icer from that post will inspect these outposts once a week,
 ener.
 being known that W—— K—— and T—— T—— (out- The outlaws.
 and the native, Pemulwoy, are the promoters of the out-
 is acts that have been lately committed by the natives,
 by two men have been killed, several dangerously wounded,
 umbers robbed, the reward advertised on the 17th inst. will
 en to those who will bring the above delinquents in, dead or
 or a proportionate part thereof for each.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

23rd November, 1801.

23 Nov.

Governor's absence from head-quarters one centinel is to be The Govern-
 from Government House. ment House
 in the 1st November to the 1st March the centinels are to guard.
 ten from Government House from ten in the morning till
 in the afternoon until further orders.

PHILIP GIDLEY KING.

THE ADMIRALTY TO LIEUTENANT KENT.*

24th November, 1801.

24 Nov.

are hereby required and directed to receive on board the Major John-
 you command Major George Johnston, together with his ston's
 it and baggage, and give them a passage to New South Wales passage.
 you proceed thither, victualling them during their continuance
 and in the same manner as your ship's company.

J. TROUBRIDGE.

J. ADAMS.

W. GARTHSHORE.

LIEUTENANT KENT TO SIR JOSEPH BANKS. (Banks Papers.)

Buffalo, Portsmouth Harbour,

Sir,

29th November, 1801.

29 Nov.

I have the pleasure of informing you the emus were safely Emus for
 the day before yesterday and set off immediately for town, Banks.

Lieut. was addressed to Lieutenant Henry Kent, Commander of the Buffalo, Ports-
 This is evidently an error. Lieutenant Henry Kent died on 16th June, 1801, and it
 was Kent (Hunter's eldest nephew) who commanded the Buffalo.

1801 where I have no doubt of their arriving safe. We had much
 29 Nov. trouble with the Custom-house people. Your account of the death
 of the last of the black swans has given me more uneasiness than
 ought to belong to such a trifle, but when I consider the history
 of those birds I cannot help it. I do not think it possible to
 procure the black swan in New South Wales but in the manner
 in which they were got. A settler on the banks of the Hawkesbury,
 being some considerable distance in the woods, had the good
 fortune to find two swan eggs, which he brought home and
 placed under a goose then setting, who brought them out. He
 reared them in his hut; they eat out of his hand, and lived
 among his children. He became on this account greatly attached
 to them. I made several attempts to get them from him without
 effect. I, however, at last succeeded with the temptation of fifty
 guineas. To be brought safe over such a vast track of ocean, and
 to be shot upon the banks of the Thames, is indeed a hard fate.
 If any person shot this elegant swan (for it was by far the most
 beautiful bird that ever had been seen) for the sake of setting it
 up in a collection, I have only to say he deserves a similar fate.

Black swans

purchased by Kent.

A wanton act.

Iron from the colony.

I am sorry to find the iron has not turned out so well as I had
 hoped, and I the more regret it on account of having no more of
 the stone from which it was extracted. As there is abundance
 of it in New South Wales, I shall take care you shall have a box
 of it sent as soon as I arrive. If there is anything I can procure
 for you in that distant part of the world, I shall consider myself
 honoured and obliged by your laying your commands upon me.

I am, &c.,

WM. KENT.

SOUTHERN WHALE-FISHERY.

(Minutes of the Board of Trade.)

4 Dec. 4th December, 1801.

The South Sea whale-fishery, and

its greater development

READ—Memorial of Charles, Samuel, and George Enderby, and
 Alexander and Benjamin Champion, merchants, in behalf of them-
 selves and others, adventurers in the Southern Whale-fishery,
 praying that their vessels may be permitted (under the same regu-
 lations and penalties as now exist for the preventing any illicit
 trade) to extend the whale-fishery beyond the limits now granted
 by an Act of the 38 Geo. 3, cap. 57, for the further encouraging
 the Southern Whale-fisheries, and that their vessels may be per-
 mitted, after they have passed to the eastward of 123 degrees of
 east longitude, to fish as far as one degree north latitude until they
 have passed to the eastward of 180 degrees of east longitude, and
 then to fish as far to the northward as the Act now allows them.*

* At a meeting of the Board of Trade, held 30th December, 1801, the request of Messrs. Enderby and Champion was granted, provided the masters of vessels delivered their journals to the Court of Directors of the East India Company on their return to England.

LIEUTENANT KENT TO SIR JOSEPH BANKS. (Banks Papers.) 1801

Buffalo, Portsmouth Harbour,

Dear Sir,

6th December, 1801.

6 Dec.

Just before I quitted New South Wales, at the particular request of my friend, Governor King, I allowed my house in the city of Sydney to be valued by such tradesmen as he thought proper to appoint, as he wished to make a purchase of it on the part of Government for a place in which he could shelter and maintain the orphan children of that distant part of the world.* The house was estimated at £1,539, for which he gave me bills at twenty days on the Treasury. Those bills, together with another set amounting to £407 for cattle purchased from me, have been due since August last, and although they have been presented to Chinnery a number of times by my brother the answer has constantly been he had not the means of paying them, and desired I should again call in about three weeks. The garden belonging to the house was full of fruit-trees, and had cost me about £300. I made a present to the orphans upon my receiving payment of the house. It is necessary here to observe, by this time Governor King, I have no doubt, will have laid out a considerable sum of money in improvements on the premises, which, of course, will revert to me if the bill is cancelled. This I should be extremely sorry to be driven to the necessity of doing, because I fear it would give great uneasiness to Governor King, as well as myself, to have the orphans put out of the house, after all the trouble he may have had in fixing them in it. As I am going early from the Kingdom, and cannot think of going and leaving uncertain when those bills will be paid, may I beg your influence in getting this matter settled. Having a large infant family to support, I hope the Treasury will allow me the interest on the bills since they became due. This Mr. Chinnery had the goodness to tell me he did not doubt but they would comply with. The enclosed letter, which perhaps contains some information on the subject of the iron of New South Wales, is from the manager of the ironworks at Fontly, in this country. I have no doubt this person would be happy to go to New South Wales on his business if any advantage was held out to him.

Kent's house at Sydney

bought for Orphanage.

Purchase money not paid.

Possible result.

Early settlement desirable.

An iron founder.

I have, &c.,

WM. KENT.

[Enclosure.]

H. VERNON TO LIEUTENANT KENT. (Banks Papers.)

Dear Sir,

Fontley, 30th November, 1801.

In answer to yours, the lump of iron ore you showed to me, I have no doubt if it had been properly smelted, would have produced soft cast-iron, from which malleable wrought-iron may have been made; but the iron that was extracted from it appeared to

Faulty smelting.

* Ante, pp. 87, 88, 113, 133 and note, 135, 232, 323 and note, and 447.

1801
6 Dec. have been part burnt, rather in a state of crude cast-iron—I may say betwixt cast and wrought. The quantity was so small, or it may have been worked in an air-furnace, and brought into a state of wrought-iron; then a smith may have worked it; but then, if that single lump of ore had produced but indifferent iron, it ought not to have been condemned, for in all the mines of iron that I have seen and worked there is different beds or strata under each other, which in general are of different qualities. By smelting these together, or leaving part out, as will soon be found which is best, iron of good quality is produced. From the description you gave me of New South Wales, and the abundance of ore and coals, I should not fear finding in that earth every material for smelting of ore and making good wrought-iron (viz, flux-sand, fireclay, &c.), from which steel may be made, which would furnish the inhabitants with every tool they want for cultivating of land. The other advantages that would arise from traffic with that article to other islands you understand better than I can describe, for it is very likely that iron may be found there as much superior to Sweeds as Sweeds is to English.

Ores of various qualities.

Manufacture of steel.

I am, &c.,

H. VERNON.

GOVERNMENT AND GENERAL ORDER.

9th December, 1801.

9 Dec. THE Governor being informed that several individuals are attempting to obtain the labour of some of the servants of Government employed at the harvest, by offering them very high rewards, the magistrates and superintendants of the different districts are strictly enjoined to bring to immediate justice every person who shall offend therein, and, on conviction before two magistrates, they are to be fined ten pounds sterling for each offence, the fine to be levied by immediate distress on the offenders' goods and chattels; and if any person under Government shall presume to hire out, or suffer any prisoners to be employed by individuals, until the harvest belonging to the public is secured, proper notice will be taken of it by the Governor, according to the situation of the person offending therein. Persons giving information will, on conviction, meet with a reward suitable to the discovery, which will not be less than five pounds sterling.

Convicts illegally employed.

Penalty recoverable.

Reward to informers.

PHILIP GIDLEY KING.

GOVERNOR HUNTER TO SECRETARY SULLIVAN.

Sir, No. 17, Nottingham-place, 9th December, 1801.

Hunter's valuable knowledge.

Suffer me to take the liberty of reminding you of those letters which Mr. King told me he would request your recurrence to. You will find them agreeable to the numbers and dates mentioned in my letters to him on that subject, a copy of which I

lately sent you. I am well convinced, sir, that you will discover my letters to the Duke of Portland to contain matters of too much importance to the inhabitants of that remote colony to admit of being passed over without some notice; and the enclosures it contained, I am of opinion you will think sufficient to justify the earnest manner in which I wrote His Grace, although I see it necessary to observe that no attention whatever has been paid to those representations.

1801

9 Dec.

Official neglect.

Whatever distresses may at any time attend the inhabitants of that settlement, I have the satisfaction of having done much to avert them by the improvements I have brought about in its general circumstances, and altho' such distress cannot effect me in my present situation, yet I shall at all times feel an anxiety and solicitude in its concerns.

An easy conscience.

I have, &c.,

JNO. HUNTER.

GOVERNOR KING'S NAVAL COMMAND.

10th December, 1801.

10 Dec.

WHEREAS we have signed a Commission appointing you commander of His Majesty's ship Buffalo, and whereas we think fit that Lieutenant William Kent shall be second commander of the Buffalo on her arrival at New South Wales, you are hereby required and directed to enter and bear the said Lieutenant Kent on her books for wages and victuals as second commander accordingly, from the day of her arrival.

Kent and the Buffalo.

Given, &c.

W. ELIOT.

T. TROUBRIDGE.

G. MARKHAM.

List of the Officers and Crew of H.M. ship Buffalo, 10th December, 1801.

Establishment of the Buffalo.

William Kent, Lieutenant, per commission, Nov'r 28th, 1801.

Ralph Stott, master, per warrant, Nov'r 13th, 1801.

Robert Patterson, boatswain, per warrant, Aug. 13th, 1801.

James Douglas Paul, gunner, per warrant, August 12th, 1801.

John Caldwell, carpenter, per order Capt. John Hunter, he being carpenter of the Supply.

George Tooke, master's mate.

Robert Boyle, midshipman.

George Armstrong, midshipman.

Francis Bance, clerk.

John Bowers, quarter-master.

Daniel Granniel, A.B.

Charles Hood, A.B., p. at Haslar.

George Brown, A.B.

William Scully, A.B.

William Massey, A.B.

John Vincent, A.B.

Hugh McCall, A.B.

Anthony de Casto, A.B.

John Brown, A.B., p. at Haslar.

Thomas Whitesides, A.B.

Humpy Parry, A.B.

John Leaky, A.B.

George Heath, A.B.

Thomas Pepper, A.B.

George Mills, A.B.

William Cliff, A.B.

1801	Joseph Pagett, A.B.	Edward Charlton, A.B.
10 Dec.	Edward Castleton, A.B.	Robert Leak, ord.
	James Whyrit, A.B.	—
	Thomas Gardner, A.B.	33 men.
	Thomas Hunter, A.B.	

Boys.

Thomas Green	...	...	1st Class.
Owen Lewis	...	...	2nd „
David Jones	...	...	3rd „
Michael Croft	...	...	3rd „

4 boys.

33 men.

Total ... 37

WM. KENT,
Lieutenant and Commander.

MR. SURVEYOR GRIMES ON HUNTER'S RIVER.

11 Dec.

Sydney, 11th December, 1801.

*Hunter's River, from the Bason to Paterson's River.*Level
country.

NEAR the bank is low and swampy, the tide at high water flowing over in many places ; where it does not the ground at the back is lower than the bank, and covered with weeds ; there are some few spots of a white sandy soil running between the swamps, covered with good grass, but not fit for cultivation.

Hunter's River above Paterson's River.

Sterile soil.

There is very little carradjang [kurrajong] up this part of the river, and no ground fit for cultivation. There are a few hills N.E. of the joining of the rivers, extending at the back of the swamp, of a light sandy soil, and covered with good grass for about a quarter of a mile back ; then the most barren sandy soil, with a low brush of a thorny shrub, and between every little hill a swamp ; the principal timber is the Banksea, oak, and a few blue-gum trees.

Swamps.

Between M't Harris and M't Grant I think the country overflowed from the river, and no part not overflowed until the foot of the mountains ; the ground from the mountains to the rivers is almost a continued reedy swamp ; there are some spots of fine ground, but the least rise of the river must lay them under water. The high lands are covered with rocks, but good grass between them to the tops. The timber on the low land is principally apple tree and blue-gum trees ; on the high lands blue-gum and iron-barked trees.

Timber.

Edgerton and Hobby's Hills, and the space between them.

The hills are very rocky, but good grass between them. The soil is very light, mostly sand ; the space between the hills is nearly a continued swamp covered with reeds. The land is much

lower at the back than close to the river, tho' the banks are very low, except in a few places where the points of the high hills come down to the rivers, which are uniformly of a light sandy soil and very stony, but good grass. The low banks are covered with vines, the timber at the back blue-gum and apple trees; on the high lands blue-gum and iron-barked trees. 1801
11 Dec.
Low lands.

In a N. line from Hobby's Hills and a body of mountains to the fall, and from the high land above the fall you are surrounded with high rocky mountains in every direction, but good grass growing to the top; the timber blue and red gum, apple tree and iron-barked trees. Beyond the fall, on the west side of the river, are the finest stringy-bark and black-buttred blue-gum trees I ever saw, but the flood rises to a considerable height. A mountainous district.

Schanck's Forest Plains, above the New River.

The water rises on the banks a great height, as appears from the rubbish left on the trees, and the country for about half a mile back is full of lagoons, or swamps covered with reeds, which are bounded by moderate high hills. The ground is good between the river and the hills; but much lower than the bank in most places, so that the country is under water before the banks of the river are generally overflowed, and there are marks of the flood a considerable distance up the hills at the back, which are of a light sandy soil and covered with small ironstone. The grass is very fine, except at the top of the hills, which are in general covered with an ironbark scrub. The vallies are wet, and marks of heavy torrents running down them. The timber on the low ground is principally blue-gum and apple-tree. Near the banks of the river a great quantity of large cedar, vines of different kinds, and plenty of curradjong; but the cedar and curradjong are more plentiful up the new river than any other part. On the high land blue-gum and ironbark trees are almost the only timber growing. Heavy floods.

Good pasturage.

C. GRIMES.

Acting Surveyor-Gen'l.

EMPLOYMENT OF CONVICTS.

HEADS of a plan for removing and employing convicts both in the hulks and in Botany Bay, by Lord Pelham.

13th December, 1801.

18 Dec.

It is proposed to send the convicts sentenced to transportation in ships belonging to Government, and fitted up for that purpose, under the command of King's officers.

It is stated that the expence will be little more than one-half of what is now paid to the contractors for this service. It is also stated that the expence might be still further reduced by employing The transport service.

1801

13 Dec.

these ships in conveying coals from Botany Bay and New South Wales to the Cape of Good Hope (*vide* Capt. Shank's letter to Lord Pelham).

Export of
coals and
timber.

Captain Hunter, late Governor of New South Wales, is of the same opinion as to the saving of expence in carrying out the convicts, and supposes the advantages to be derived from the coal trade will be of the greatest importance, even after the restoration of the Cape to the Dutch, as coals are found in part of South Wales as near the surface of the earth as copper used to be on the mountains. He further states that the timber of that country is of a very durable quality, and fit for the purpose of ship-building. He represents the colony as capable of producing, under good management, sufficient for its own support. He represents the relaxation of discipline to be very great, owing to the officers of the corps established there being not only great farmers, but traders and speculators in every article of commerce, monopolizing whatever arrives at the settlement, and retailing many of the necessaries of life at an exorbitant profit.

Officers as
monopolists.

He states the voyage from Bengal to Botany Bay to be about six weeks; that from New South Wales to the coast of South America about the same.

Mismanage-
ment on the
hulks,

The judges and magistrates in the country complain of the delay in sending out the convicts, and there are frequent complaints of the bad management of the convicts on board the hulks, who by being detained there during a great part of the time of their sentence, in a state little likely to correct their habits or improve their morals, will either be restored to society at home, where they will probably renew their former depredations, or, if they are sent to Botany Bay, will become free men so soon after their arrival that they will probably be little less troublesome there than at Home.

and its dele-
terious
effects.

In order to obviate some of these inconveniences, and to lay the foundation of improvements in the colony, which may make it possibly an advantageous possession to the mother country, and for the purpose of ensuring a more regular communication with that colony, it is proposed that ships should be fitted up on the account of Government, for the purpose of conveying convicts twice in every year; and as it appears from Capt. Hunter's account that the latter end of May and the latter end of August would be very proper seasons for sending ships to South Wales, the convicts at the spring and summer assizes might be transported so soon after their conviction as to give a great additional effect to their sentence.

A Govern-
ment pro-
ject.

These ships might be freighted homewards, according to the plans that will hereafter be suggested.

A semi-
yearly ser-
vice.

At all events, a direct communication may thus be established between Great Britain and New South Wales twice every year.

It is further proposed that a regiment from the East Indies, either European or Sepoy, shall form the garrison of South Wales, and be relieved once in every year, whereby not only good Government and authority in the colony will be better supported, but another, tho' indirect, communication with the colony will be established.

1831

13 Dec.

A garrison from India.

If the system of keeping any of the convicts on board hulks is to be continued, it is to be presumed that the correction of their morals and encouragement of habits of industry will be attended to, and that both will be promoted by holding out hopes of the term of their confinement being shortened, or of their situations being changed, as a reward for their good conduct.

Reform of criminals.

The objections to employing convicts in the Army and Navy are obvious, altho' it is an expedient which the want of men for those services has often induced Government to resort to. The convicts will always be exposed to reproach, and the corps into which they enter will always feel degraded by their admission.

Recruiting from convicts.

It is conceived, however, that many of these men might be usefully employed in the service of their country, and the talents and ingenuity as mechanics which may have betrayed some of them into the commission of the offences of which they have been convicted might become the means of expiating their crimes. It is supposed that if those who by their good conduct and penitence might at any time have been considered fit for His Majesty's service were hereafter to be formed into a separate corps of pioneers or artificers, according to circumstances, they might become a very useful, without being either a dangerous or discreditable, addition to many of our foreign garrisons and settlements.

Ability improperly applied.

A convict corps.

It appears that even now, under the present imperfect management of the hulks, the engineers and officers of the dockyards are very desirous of keeping many of the convicts who have been allowed to work under them.

A demand for skilled labour.

In extending our views to future wars it would not perhaps be visionary to direct an attention to some plan for counteracting the ambitious designs of the French Republic in the Pacific Ocean. The same restless spirit that planned an expedition to Egypt with the ulterior view of wresting from the hands of Great Britain her possessions in India may by the softer means of friendship and alliance obtain possessions in the Gulph of Mexico, and form establishments which may with more certainty put the French into possession of South America. If South Wales* answers to the description which many persons have given of it, might not an establishment there, calculated for the purpose, give a facility to operations on the eastern coast of South America which might counteract those which France may meditate on the western coast?

The French in the Pacific.

A diplomatic suggestion.

* In many of the early records we find the colony called South Wales.

1801

13 Dec.

Conveyance
of troops
from India.

A corps of artificers, such as has been described, might make preparations in vessels of different kinds to convey troops collected from our East India settlements with less risk and in a shorter time than they could be sent from Europe. The same corps might in ordinary times be usefully employed in the buildings necessary for the settlements, and in converting the timber which might be wanted for our dockyards at Home, and which the convict ships could bring, at little or no expence, to Europe.

GOVERNMENT AND GENERAL ORDER.

13th December, 1801.

Absentee
officers.

A LATE omission renders it necessary the Governor should inform the officers, civil and military, that when they return from any detached service it is their duty to wait on the Governor, Acting Lieutenant-Governor, or any other officer in command, immediately on their arrival at head-quarters.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

16 Dec.

16th December, 1801.

HIS MAJESTY having been pleased to approve of the manner in which His Excellency the Governor-in-Chief has carried his Royal Instructions into execution, by the General Orders issued prior to the Buffalo's leaving this colony, His Grace the Duke of Portland (exclusive of the Orders received and promulgated since that period) now signifies His Majesty's pleasure on the following heads:—

1. Such officers, civil and military, who do not cultivate land are to be allowed the labour of two convicts, supported by Government for their domestic purposes, and in all cases where they have had ground or house of land given them they are to feed and clothe all persons so allowed them, without any exception whatever.

2. That the convicts allowed to each officer acting as magistrate being judged too great an expence to the public, not more than four convicts are to be allowed to the magistrates in future.

3. No more than five women are to be allowed to each company of the New South Wales Corps; the supporting that number of women and their children at the public expence to be considered a gross indulgence.

His Majesty's Principal Secretary of State for the Home Department and the Lords Commissioners of His Majesty's Treasury having made the necessary arrangements for a constant and regular supply of all necessaries for the use of the colony, to enable individuals to avoid the scandalously exorbitant prices of the dealers, no articles will be issued from the public stores until payment is made in grain of all Government debts and those belonging to the owners of whalers whose investments have been and now are retailing from the public stores (as stated in the Orders

of the 2nd of April and 2nd of June last*), except to those who **1801**
 have paid their debts or who are not indebted as above, for which **18 Dec.**
 purpose the stores are open for the receipt of grain.

Any master of a ship landing spirits without the Governor's **Smuggling**
 licence, exclusive of forfeiting the penalty of his bond, is to be **spirits.**
 ordered out of the port immediately, and information thereof to
 be transmitted to the Secretary of State, that such masters may
 not be employed by Government in future.

Lieutenant-Colonel Paterson will deliver the Commissary a list **Convict**
 of the five families to be allowed to each company of the New **servants.**
 South Wales Corps on Friday next; and on Monday the extra
 convicts allowed to officers and magistrates will be called to public
 labour, unless their present employers choose to take them off the
 store, in which case application is to be made to Captain McKellar
 on Friday next.

In consequence of the late scarcity of grain and the settlers' **Price of**
 losses, the Governor takes upon himself the responsibility of sus- **maize and**
 pending the Treasury Order for one year longer, and continues **wheat.**
 the price of wheat at 8s. and maize at 4s. per bushel.

PHILIP GIDLEY KING.

UNDER-SECRETARY SULLIVAN TO UNDER-SECRETARY KING.

Sir, Downing-street, 16th December, 1801.

In consequence of the urgent representation contained in
 Captain Hunter's letter to you of the 21st Sept'r last, which has
 been transmitted to this Department, Lord Hobart has turned to
 the dispatches therein mentioned, containing a reference to His
 Grace the Duke of Portland on the cases of certain persons in
 the settlement of New South Wales, against whom sentences of **Sentences**
 death or transportation had been passed under peculiar circum- **deserving**
 stances; and I am directed by His Lordship to acquaint you that, **considera-**
 upon a full consideration of the proceedings on the trials of those **tion.**
 persons, the great difference of opinion that prevailed among the
 members of the Courts assembled to try them, and the long period
 that has elapsed since their cases were transmitted to this country **Reasons for**
 for consideration, during which the prisoners have suffered the **clemency.**
 rigours of confinement, His Lordship is of opinion that it might be
 proper to recommend for His Majesty's gracious pardon the
 persons mentioned in the inclosed list, for the offences of which
 they have been found guilty and received sentence, in the colony
 of New South Wales; I am therefore to request that you will
 move Lord Pelham to lay their names before the King for this
 purpose, and also to express to His Lordship Lord Hobart's wish
 that, if possible, His Lordship may be enabled to send out the
 pardon for those prisoners by the Buffalo storeship, now under
 orders for New South Wales.

I am, &c.,

JOHN SULLIVAN.

1801

[Enclosure.]

16 Dec. Isaac Nickolls [Nichols], felony and burglary, 12th March, 1799;
 14 y'rs transportation to Norfolk Island.*
 List of recipients of Wm. Collins, felony and burglary, 11th March, 1799; death.
 pardon. T. Wm. Lancashire, forgery, 1st April, 1799; death.
 Edward Powell, } Wantonly killing two natives, 14th Oct., 1799;
 Simon Freebody, } guilty.†
 Jas. Metcalfe, }
 Wm. Timms, }
 Wm. Butler, }
 Chapman Morris, forgery, 16th Dec'r, 1799; death.

GOVERNMENT AND GENERAL ORDER.

28 Dec.

28th December, 1801.

An illegal
barter.

J—— G——, a convict, being detected in exchanging spirits for wheat with the Government threshers, at the rate of one wine-bottle of spirits for a bushel of wheat, has forfeited the spirits and wheat, which, with his dwelling-house, are confiscated to the purposes of Government, and the delinquent is sent to Norfolk Island.

Wrong use
of spirits by
an officer.

The General Order of the 24th of last October‡ “forbidding any person giving the spirits they draw for their domestic purposes (by the Governor's permission) to any licensed or other person on any pretext”; notwithstanding that Order, and His Majesty's instructions on that behalf, it appears that an officer has given the spirits he was permitted by the Governor to purchase for his domestic purposes to a licensed retailer of spirituous liquors, to deliver to individuals by his orders; the Governor once more calls the attention of the officers, civil and military, to the delicate manner in which he communicated the Royal Instructions to them on that behalf; and he now directs that if any officer shall so far abuse the indulgence granted him, of being allowed to purchase spirits for his domestic purposes, by giving it on any pretext to any retailer whatever, or licensed person, to retail or give out by his orders, such spirits will not only be seized, but also the offender will be tried by a General Court-Martial.

Regulations
for licenses.

Licensed persons receiving permits for spirits are to draw it themselves; and if they receive spirits from any other person, to dispose of on their account, all such spirits will be seized, and the receiver forfeit his license, recognizances, and all strong drinks found on his premises, which will become the property of the person suing to conviction.

* See the proceedings in the trial of Isaac Nichols, which will be found in vol. III, pp. 684 to 635.

† Ante, p., et seq.

‡ Ante, p. 598.

And if any person, civil or military, settlers, free men, or prisoners, shall presume to purchase wheat with spirits, all such wheat, spirits, and the premises on which they are found will be forfeited to the Crown, and the offender dealt with according to his situation. 1801
28 Dec.
Spirits not medium of exchange.

PHILIP GIDLEY KING.

ENSIGN BAYLY TO GOVERNOR KING.

Sir, Sydney, 28th December, 1801.

I am this instant informed by Simeon Lord that you have ordered the broad R to be put on a cask of spirits which he has in his house belonging to me. Impounding spirits.

Lest any mistake or misrepresentation should have been made to you how it came there, or for what purpose, I beg to inform you that it is part of a cask of spirits which I had a permit from your Excellency to land from the ship Minorca, and that Mr. Harris gave me a permit for it to be removed to Simeon Lord's house. An explanation.

My motives, sir, for sending it there was because I preferred making him a certain allowance for his trouble in issuing it, as I might have occasion to draw for it, to keeping it in my own barracks, and run the risque of its being stolen, or made away with at the discretion of servants. I have, &c.,

NICHOLAS BAYLY,
Ens'n, N.S.W. Corps.

GOVERNOR KING TO ENSIGN BAYLY.

Sir, 28th December.

I have received yours, and have to refer you to the General Orders of the 24th October last,* those of this day,† together with the King's Instructions,‡ which Lieut.-Colonel Paterson is possessed of. King's reply.

I am, &c.,

PHILIP GIDLEY KING.

EX-GOVERNOR HUNTER TO LORD PELHAM.

No. 17, Nottingham-place,
29th December, 1801. 29 Dec.

My Lord,
The observations relative to the expences of the colony of New South Wales, and the hints which I proposed to have by this time laid before your Lordship and Lord Hobart, for correcting the prevailing abuses in that settlement, requiring much more time to transcribe than I was aware of, I have come to the Hunter on Colonial abuses.

* Ante, p. 598.

† Ante, p. 640.

‡ Ante, p. 129.

- 1801
20 Dec. determination of having a few copys privately printed,* and I expect to be able to furnish your Lordship and Lord Hobart with a copy early in the second week of January.
- His disinter-
ested
motives. I shall feel particularly gratified if any hints of mine shall bring forward the serious consideration of His Majesty's Ministers to the affairs and interests of New South Wales. I can assure your L^{ship} that they are dictated by an earnest wish for the prosperity of that colony, at the original establishment of which I had some share, and on its service have spent so many years. When it is considered, my Lord, in a political point of view, I am of opinion it will appear of more importance than it hitherto has been seen, and will be thought to merit a better fate than that of becoming merely a public forrign gaol for the reception and correction of prisoners or criminals of the very worst description.
- Ultimate
destiny of
New South
Wales. Suffer me, my Lord, to bring to your recollection a circumstance which when last I had the honor of an interview, I ventured to hint in person. I then observ'd the great variety of opinions relative to that country which have from time to time been industriously obtruded upon His Majesty's Ministers, some govern'd by prejudice, many dictated from motives of self-interest, and a considerable number anonymous with similar views. It is scarcely possible under such uncertainty to form any correct judgement. I know of no way so probably favourable for obtaining the most perfect information and acquaintance with all the essential concerns of that settlement as that which I took the liberty to suggest. I mean, my Lord, the appointment of two or three gentlemen as Commissioners with instructions to investigate its progressive advancement under the different administrations of its government, from its first establishment in 1788 up to the present period.†
- Self
interested
advisers. Those gentlemen to be carried out and brought home in one of His Majesty's ships, of which I am ready to take the command, and to assist the enquiry all in my power. From my knowledge and experience in the navigation of those seas, I trust I should be able to lessen the dread of a voyage of such apparent extent, and from my local knowledge on the spot to facilitate the necessary enquiry.
- An Enquiry
Commission
desirable. Such a step would ensure to Government the most authentic information on a subject which I am concern'd to say appears to have been so very imperfectly understood here. From a view of the face of the country by intelligent men you would have that
- Hunter's
practical
assistance.
- English
apathy.

* The Editor has been favoured with a view of a copy of this rare and interesting print by Mr. John J. Shillinglaw, F.R.G.S., of Melbourne. It is written in the same vehement style as Governor Hunter's despatches. It was printed by S. Gossnell, Little Queen-street, Holborn, London, and is entitled "Governor Hunter's remarks on the causes of the Colonial expense of the establishment of New South Wales, &c: Hints for the reduction of such expense and for reforming the prevailing abuses." It appears to have been written by Hunter during his voyage home in the Buffalo. In it he complains bitterly of the neglect he had suffered at the hands of Government, and of the indignity incurred by the circumstances of his recall. The latter part of the little volume contains a number of valuable suggestions for the better government of the colony which might have been adopted with the fullest prospect of improvement.

† Ante, pp. 10, 12, 19, 24, 395, 396, 430, 454, 522, 594.

ind of judgement which might serve to regulate government in its future expences. It would lead to a conjecture what the colony might in due time promise as a compensation to the mother country or such expence. It would show how far its expences hitherto had been unavoidable or had been lavishly employ'd; at what period we might reasonably expect its independence for provision; what number of inhabitants it was at present capable of feeding; what prospect there might appear of establishing any kind of manufactories; and what the country (as far as our knowledge of it yet extends) may promise in reasonable time to produce as an article of exportation. In short, my Lord, there is much to be gathered by capable and observing men in that settlement and its dependencies, from the knowledge of which the parent country might hereafter derive some advantages perhaps of importance, or at least I conceive sufficient to counterballance the expence of such Commission.

1801

29 Dec.

The Commission's utility.

The experiment worth the expence.

I have taken the liberty, my Lord, to enclose two rough copies of letters written by me to His Grace the Duke of Portland*; the one is a reply to an anonymous letter which had been carefully put into His Grace's hand, and which, altho' I guess'd who the ostensible author was, I believe to have been dictated by that trading faction whom it was my duty to oppose in their destructive speculations; it is marked No. 1. The other was the consequences of my not being admitted to an audience on my arrival in England after the injustice which I felt had been done me; it is marked No. 2. I hope and trust your Lordship will not think they contain anything more than the feelings of an old and much-injur'd officer would naturally dictate. They have been lately perus'd and return'd to me by Lord V. Howe, the brother of my late much-lamented friend the Earl Howe, by whom I had the honor of being patronis'd for the last twenty-four years of his life.

Anonymous traducers.

Honest expression of opinion.

I send these rough letters in hope that your Lordship may have time during the adjournment of Parl't to read and consider them, after which you will do me the honor to return them.

I have, &c.,

JNO. HUNTER.

ENSIGN BAYLY TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 29th December, 1801.

On Monday morning Simeon Lord informed me that a cask of spirits which was in his house belonging to me had been siezed on account of Government by Governor King's order.

Seizure of spirits.

In the course of the day I wrote to His Excellency stating how and for what purpose it came there. Enclosed I have the honor of laying before you his answer.†

* These enclosures are not available. It may be presumed that No. 1 was the letter of 24th November, 1799, vol. iii, p. 741, and No. 2, his letter of 2nd July, 1801, ante, p. 429.
† Ante, p. 641.

1801
29 Dec.
General
Orders.

By His Excellency's letter you will perceive I am referred to a General Order of the 24th October, which, on perusal, you will find has no reference to the present business, and that the words (*for their domestic purposes*) inserted in the Orders of Monday last, as a quotation from the Orders of the 24th October, are not even mentioned.*

I am next referred to the Orders of last Monday.† At the time I received the Governor's letter they were not given out. You must therefore see the impossibility of my so long ago as a week back acting contrary to an Order which in all probability was not at that time thought of.

The King's
instructions.

Lastly, I am referred to the King's instructions, which he informs me you are possessed of. Any instructions you may have received which are connected with this business are entirely strange to me.‡

A reflection
on the
officers.

By the General Orders of Monday last I am concerned to find that every officer is in some degree censured on account of my conduct; for, surely, saying that an officer has been guilty of any impropriety without inserting that officer's name is certainly a reflection upon the whole until the name of the officer alluded to is mentioned. I am not anxious that His Excellency should show any delicacy towards me, at the expense of my brother-officers. I have therefore to request on their account that my name may be inserted in the Orders as the officer alluded to by His Excellency in the General Orders of Monday last.

Wounded
honour.

I have now, sir, as my Commanding Officer, to lay before you what I consider as a very heavy grievance—that of being publicly censured in the General Orders without having given any cause. As an officer, and under your command, I am entitled to seek redress through you, which redress I am willing to accept on such terms as will not be derogatory to the character of a British officer, bearing his Sovereign's commission, to receive.

I have, &c.,

NICHOLAS BATLY.

TRANSPORT COMMISSIONERS TO GOVERNOR KING.

(King Papers.)

31 Dec.
The Royal
Admiral.

Sir, Transport Office, 31st December, 1801.

We received your letter of the 10th March, 1801, on the 28th instant, and have to express our satisfaction with the account you have given us of the good conduct of Captain Wilson of the

* See these General Orders, ante, pp. 593 and 640.

† That is the General Order of 28th December, ante, p. 640.

‡ According to Lieutenant-Colonel Paterson's letter to Governor King, of 12th September, 1800, ante, p. 140, these instructions were communicated to the officers, and by them considered as a General Order. It is, however, possible that at that time Ensign Batly was on duty at one of the outposts.

Royal Admiral, and of the other circumstances which you have communicated to us relative to the delivery both of convicts and stores. 1801 31 Dec.

Respecting the Lady Nelson, our concern with her terminates with her arrival at Port Jackson, and we shall accordingly pay the drafts you have given upon us for the pay of her commander and crew to that period, of which we approve. The Lady Nelson.

When we receive the paper you mention relative to the passage thro' Basses Straits from the Secretary of State, we shall not fail to communicate copies of it to such vessels as may be taken up by us for your colony. Bass Strait.

We are concerned for the mutinous behaviour of the Irish convicts on board the Anne transport, and are much satisfied that the master's conduct was justified by the decision of the Court of Vice-Admiralty. The Anne, transport.

It is much to be lamented that such vast quantities of spirits have been clandestinely imported into New South Wales contrary to the spirit and tenor of our charter parties; but we trust that your endeavours, co-operating with our own, will in future greatly discourage, if not entirely prevent, a traffic so pernicious to the health and morals of the people under your government. Importation of spirits.

We cannot conclude without returning you our thanks for the information you have transmitted. The more public and official they are the greater use we shall be always able to make of them. Thanks to King.

Private information cannot generally possess that advantage.

We are, &c.,

AMBROSE SERLE.

WM. AY. OTWAY.

JOS. HUNT.

RETURN of Births and Deaths, Sept., 1800, to Dec. 31st, 1801. Births and deaths.

The births were 116. In many cases the surname only is given, so that the sexes cannot be accurately ascertained.

The deaths were 96, 66 of whom were male; as children, 9 only are mentioned. Two were unknown.

RETURN of Stock belonging to Government on Norfolk and Phillip Islands, 31st December, 1801.

Government stock on Norfolk Island.

Horned Cattle.		Horses.		Asses.		Sheep.		Goats.		Swine.
Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	
12	8	..	3	6	5	39	38	85	190	213

WILLIAM BROUGHTON,
Act'g Dep'y Commissary.

1801
31 Dec.
Ships
entered
inwards at
Port
Jackson.

SHIPPING RETURN.

A List of Ships and Vessels which have entered Inwards in the Harbour of Port Jackson, in His Majesty's Colony of New South Wales, between the 1st day of October, 1801, and the 31st day of December following, with the particular quantity and quality of the lading of each vessel.

Time of Entry.	Ship's Name.	Master's Name.	Number of			Where and when built.	Where and when registered.	Owner's Name.	From whence.	Where and when Bond given.
			Tons.	Guns.	Men.					
2 Oct.	Anna Josepha (brig).	H. Meehan ..	170	2	28	Prize to the Betsey, whaler	Sydney, New South Wales.	Lord and Meehan ..	Hunter's River.	Sydney. 1801.
19 "	Britannia ..	Rt. Turnbull ..	301	6	24	C. of Dorset, 1783..	London, 7 June, 1787.	Messrs. Enderbys ..	From the coast —whaling.	29 May.
2 Nov.	Hope ..	Nathl. Ray ..	269	8	96	New Haven..	New Haven ..	Duggell & Co. ..	River Plate.	2 Nov.
14 Dec.	Harrington (snow).	Wm. Campbell	180	6	39	Calcutta, 1796	Calcutta ..	Messrs. Chace & Co.	From the Southward.	12 June
14 "	Minorca ..	Jno. Leith ..	407	10	30	Newcastle, 1799 ..	London, 1801 ..	F. and T. Hurry ..	London ..	14 Dec.
14 "	Nile ..	Ja. Sinker ..	322	10	24	do do ..	do do ..	do do ..	do ..	14 "
14 "	Canada ..	Wm. Wilkinson	403	10	32	do 1801 ..	do do ..	do do ..	do ..	14 "
22 "	Caroline (schooner).	St. Tuckerman	103	2	0	New Bedford ..	New Bedford ..	Swain & Co. ..	Boston ..	22 "

A List of Ships and Vessels which have cleared Outwards from the Harbour of Port Jackson, in His Majesty's Colony of New South Wales, between the 1st day of July, 1801, and the 31st day of December following, with the particular quantity and quality of the lading of each vessel.

Time of Clearing	Ship's name.	Master's name.	Built.	Tons.	Guns.	Men.	Where and when built.	Where and when registered.	Owner's name.	General cargo.	Whither bound.
9 July	Anne	Js. Stewart ..	Foreign	384	12	45	Prize to the Dover and Cullier.	London, 9th April, 1799.	Princess & Co. ..	Ballast	Bengal.
16 "	Greenwich	Alex. Lawe ..	British	338	2	23	London, 18 Sep., 1800	London, 13 Nov., 1800	Messrs. Enderbys	"	Whaling.
18 "	Anna Josepha (brig).	H. Mehan ..	Foreign	170	2	23	Prize to the Betsy whaler.	Sydney, N. S. Wales.	Lord and Mehan	"	Hunter's River.
25 "	General Boyde ..	Geo. Hales ..	"	302	4	24	America, 1773 ..	London, 26 Oct., 1788	Watson & Co.	"	Whaling.
" "	John (brig) ..	Saml. Fuller ..	"	170	"	13	Prize to His M.'s ship Star.	Cape of Good Hope.	Chace, Sewel, & Co.	121 casks rum, estim'd 10-20 gall.	Amboyne.
8 Aug.	Speedy	Geo. Quested ..	British	313	"	24	London, 1779 ..	London, 1791 ..	Messrs. Enderbys	72 tons sperm oil.	Whaling.
29 "	Harriet	Saml. Chace ..	Foreign	227	6	30	Prize, taken May, 1797.	London, 24th July, 1797.	T. and J. Mather.	With a part of her cargo.	"
29 "	Albion	Eber Bunker ..	British	362	10	29	Deptford, 25 Oct., 1798.	London, 23rd Nov., 1798.	Messrs. Cham- pions.	155 tons sperm oil.	England.
2 Sept.	Harrington (snow)	Wm. Campbell ..	Foreign	180	6	40	Calcutta, 1796 ..	Calcutta, 16th Jan., 1800	Chace & Co.	Ballast	Sealing.
4 Oct.	Earl Cornwallis ..	Js. Tennent ..	British	784	20	72	London, 1783 ..	London, 11 July, 1800	Wm. Tennent & Co.	"	Bengal.
13 "	Venus	B. Gardner ..	"	265	10	24	Deptford, 1780 ..	London, 31st Dec., 1800.	Messrs. Cam- pions.	"	Whaling.
25 "	Anna Josepha (brig).	H. Mehan ..	Foreign	170	2	31	Prize to the Betsy whaler.	Sydney, Wales.	Lord and Mehan	100 tons coals, 4,000ft. timber	Cape of Good Hope.
3 Nov.	Britannia	Rt. Turnbull ..	British	301	6	24	C. of Dorset, 1783	London, 7th June, 1787.	Messrs. Enderbys	550 barrels sperm oil.	Whaling.
15 "	Hope	Nathl. Ray ..	Foreign	269	8	29	New Haven, 1798.	New Haven	Daggrell & Co. ..	34,000 sealskins, 550 doz. other ditto.	China.
" "	Hunter (bark)	Wm. Anderson.	"	300	8	54	Batavia	Calcutta, 9 April, 1801	Campbell & Co. ..	Ballast	Bengal.
23 "	Venus (brig) ..	Chas. Bishop ..	"	142	8	25	Bengal	London, 8th Nov., 1800.	Creighton, Ray, and Bishop.	"	Otaheite.
29 Dec.	Harrington (snow).	Wm. Campbell.	"	180	6	40	Calcutta, 1796.	Calcutta, 16th Jan.	Chace & Co.	"	Sealing.

PHILIP GIDLEY KING.

1801
31 Dec.
Ships
cleared
outwards at
Port
Jackson.

1801
31 Dec.
Land and
stock of civil
officers.

LAND GRANTS AND STOCK OF OFFICERS.

List of every Civil and Military Officer (including Storekeepers and Superintendents) in His Majesty's territory of New South Wales holding land by grant or lease, with the quantity of Ground Cropped, Stock, &c., as mustered in 1801.

Appointment.	Names.	Grants and Leases in their own names.				Total No. of acres held.	No. of acres in wheat and maize.	Quality and quantity of stock.					No. of convicts assigned.
		No. of Grants.	By whom given.*	Date of first grant.	No. of acres.			Horses.	Horned Cattle.	Sheep.	Goats.	Hogs.	
<i>Civil—</i>													
Governor ..	Philip Gidley King	3	IG 2H	May, '98	354	254	120	2	19	134	25	40	22
Judge-Advocate ..	Richard Atkins	2	G	Feb., '93	170	1,070	688	35	53	650	..	300	22
Commissary ..	John Palmer	2	H	June, '99	660	60	53	..	..	..	..	..	..
Prov.-Marshal ..	Thomas Smyth	3	IG 2H	Oct., '94	301	125	126	5	15	340	..	9	..
Chaplain ..	Saml. Marsden	1	1P IG 7H	Dec., '92	1,355	1,480	180	2	12	..	..	..	..
Principal Surgeon ..	Wilm. Balmain†	9	G	Dec., '94	100	100	..	..	..	..	..	..	..
Assistant Surgeon ..	James Thomson	1	IG 1H	Nov., '99	147	172	21	4	..	..	..	7	..
Do. ..	D'Arcy Wentworth	1	G	Feb., '94	100	30	20	..	..	..	16	12	..
Surveyor-General ..	Augustus Alt	1	IG 1H	Oct., '94	102	460	..	1	7	..	..	25	..
Deputy do. ..	Charles Grimes	3	..	..	..	..	..	1	..	..	..	..	..
Deputy Commissary ..	Wm. N. Chapman.	3	..	..	..	..	..	..	..	..	..	..	..
Do. ..	James Williamson	3	H	Sep., '98	87	..	..	..	..	..	..	..	..
Storekeeper ..	Rowland Haesal	2	IG 1H	April, '99	101	161	..	..	..	..	2	..	..
Do. ..	William Baker	2	IG 1H	Dec., '94	70	70	12	1	10	..	4	..	..
Magistrate ..	Thomas Arndell	4	1P IG 2H	July, '92	231	339	52	4	6	..	..	20	..
Chief Constable ..	George Harrington.	1	1P IG	Nov., '92	60	110	16	..	..	25	..	..	..
Superintendent ..	James Bloodworth	2	G	Dec., '94	200	250	40	..	..	..	..	..	..
Do. ..	Richd. Fitzgerald.	1	IG 2H	April, '94	190	60	45	..	..	66	..	40	..
Do. ..	John Jamieson	1	H	April, '99	160	100	12	1	2	..	..	..	..
Do. ..	Nichs. Dirvine	3	2G 1H	Jan., '94	218	218	69	1	..	..	..	..	..
Master Boatbuilder ..	Thomas Moore	1	H	Oct., '99	470	470	5	1	..	..	..	..	..

* P, Philip; G, Grose; H, Hunter.

† Under an agreement with Government for horned cattle.

OFFICERS' FARMS.

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Appointment.	Names.	Grants and Leases in their own names.			No. of acres purchased from settlers, &c.	Total No. of acres held.	No. of acres clear.	No. of acres in wheat and maize.	Quality and quantity of stock.					No. of convicts assigned.
		No. of Grants.	By whom given.*	Date of first grant.					Horses.	Horned Cattle.	Sheep.	Goats.	Hogs.	
Military—														
Lieut.-Colonel	Willm. Paterson	1	G	Oct., '94	100	100	50	...	12	...	1,250	34	...	1
Major	Joseph Foreaux†	6	2G 4H	Feb., '94	2,020	2,020	...	...	...	...	...	...	...	...
Captain	George Johnston	5	1P 2G 2H	Dec., '92	580	580	300	100	...	...	...	...	...	...
Do.	John McArthur‡	4	2G 2H	Feb., '93	320	1,930	390	16	16	136	970	85	99	12
Do.	Thos. Rowley	6	3G 3H	May, '93	667	1,610	120	28	8	10	210	40	25	10
Do.	Edwd. Abbott	2	H	Dec., '99	704	238	...	...	2	...	...	...	4	...
Do.	J. T. Prentice	2	1G 1H	Jan., '04	108	...	...	...	...	...	...	...	...	...
Do.	J. Townson	3	2G 1H	Jan., '93	124	124	12	...	...	...	...	...	...	...
Do.	John Piper	3	1G 2H	Nov., '94	110	140	52	23	3	...	...	...	...	...
Do.	Nell Mackellar	2	G	Oct., '94	100	250	...	...	...	...	...	...	...	...
Lieutenant	Thomas Davies	1	H	Feb., '93	100	30	20	...	1	...	...	...	...	...
Do.	Thomas Hobbs	2	H	Dec., '93	230	130	100	70	3	1	140	200	50	4
Do.	Willm. Cummings	3	2P 1H	Dec., '92	200	260	50	24	2	...	...	...	...	...
Ensign	John Bralyn	...	...	...	...	...	...	...	1	...	...	...	...	...
Do.	William Moore	...	...	...	...	...	...	...	...	...	...	...	...	...
Do.	Nichs. Bayly	3	H	Oct., '99	631	631	30	...	...	...	...	...	...	...
Do.	William Minchin	...	...	...	...	...	...	...	...	...	...	...	...	...
Paymaster	William Cox	...	...	...	...	1,380	400	245	1	...	...	...	...	...
Surgeon	John Harris	5	1G 4H	Feb., '94	153	1,380	400	245	25	20	1,000	...	200	90
Do.	John Roberts	...	...	...	...	150	303	40	39	5	100	170	4	...
Do.	Thos. Laycock	5	1P 2G 2H	Feb., '92	448	1,063	100	31	6	...	...	...	...	...
Quarter-master	Thos. Laycock	5	1P 2G 2H	Feb., '92	448	1,063	100	31	17	68	340	30	12	9
Nurse†	Willm. Kent	3	H	May, '96	430	800	50	26	7	...	...	...	...	...
Lieutenant	Robt. Braithwaite	1	H	Dec., '29	100	190	60	60	...	...	...	...	...	...
Do.	...	...	...	...	...	...	...	...	...	...	...	...	...	...

† Stock and land since the muster sold to Capt. McArthur.

‡ Has purchased the stock and land of Major Foreaux since the muster.

PHILIP GIDLEY KING.

1801
31 Dec.

Land and stock of military officers.

1801

31 Dec.

Officers of
the Corps.

RETURN of Officers of the New South Wales Corps.*

Rank.	Name.	Rank in the		Where on Duty.
		Regiment.	Army.	
Colonel	Francis Grose	18 January, 1798	1 January, 1798	On duty in Ireland.
Lieut.-Colonel	William Paterson	18 January, 1798	..	With the Corps.
Major	Joseph Foveaux	20 June, 1796	Major, 1 January, 1800	At Portsmouth, in order to embark.
	George Johnston	25 September, 1792	..	With the Corps.
	John McArthur	6 May, 1795	..	On leave.
Captains	John Townson	6 May, 1795	..	With the Corps.
	Edward Abbott	11 November, 1795	..	..
	Thomas Rowley	21 June, 1796	..	..
	John Tho. Prentice	2 March, 1797	..	..
	John Piper	6 May, 1795	..	..
	Neil McKellar	11 November, 1795	..	With the Corps.
	Thomas Davies	24 June, 1796	..	..
	William Burne	25 June, 1796	..	..
Lieutenants	James Hunt, Lucas	30 September, 1796	..	..
	Anthony Fenn Kemp	2 March, 1797	..	..
	William Patullo	3 March, 1797	..	..
	Thomas Hobby	9 November, 1797	..	..
	Henry Crawford †	7 August, 1800	..	D. at Portsmouth, 28th January, 1802.
	John Bralyn	6 March, 1795	..	With the Corps.
	William Moore	7 March, 1795	..	Embarked to join, August, 1800.
	T. Laycock	30 December, 1795	..	..
	William Minchin	2 March, 1797	..	..
Ensigns	Nicholas Bayley	29 June, 1797	..	..
	John Maundrill	24 May, 1798	..	..
	Hugh Piper	29 March, 1799	..	..
	William Lawson	29 June, 1799	..	With the Corps.
	F. L. Barrallier	14 August, 1800	..	..
Paymaster	William Cox	28 September, 1798	..	..
Adjutant	William Minchin	2 November, 1796	..	..
Quartermaster	Thomas Laycock	5 January, 1791	..	With the Corps.
Surgeon	John Harris	26 January, 1791	..	..
Assist. Surgeon	Thomas Roberts	5 April, 1798	..	Sailed in June, 1800.

* The Return for 1802, practically, is identical with that for 1801; consequently it is omitted from the printed records of the latter year.
 † This officer did not reach the colony. He was drowned at Rio Janeiro on the passage to New South Wales.

IMPORTATION OF SPIRITS.

651

ACCOUNT of Spirits and Wine imported into His Majesty's Colony 1801
in New South Wales between the 28th September, 1800, and 31 Dec.
31st December, 1801, with the quantity sent away and remains
of that landed being lodged in His Majesty's stores and given The spirit
out as the Governor grants permits. traffic.

Ship's Name.	Gallons Imported.		Gallons Landed.		Gallons sent away.		Gallons remains bonded in the King's store.		Price limited for Spirits.
	Spirits.	Wines.	Spirits.	Wines.	Spirits.	Wines.	Spirits.	Wines.	
John Jay*	1,400	276	1,400	276	..	..	..	..	per gal.
Mana*	374	..	374	..	..	..	..	..	8/-
Loyal Admiral	7,200	840	7,000	840	200	..	..	..	5/-
Trimbert	4,000	..	4,000	..	..	..	..	..	4/-
Farbinger	2,800	3,000	2,800	3,000	..	..	353	2,456	10/-
Hollensbee*	13,000	15,000	..	..	13,000	15,000	..	..	8/-
Margaret	3,000	700	3,000	700	..	..	..	..	6/-
Una	7,500	..	7,500	..	..	..	..	..	6/- & 8/-
Britannia	300	240	300	240	..	..	..	..	9/-
Rance	480	480	480	480	..	..	..	..	..
Missouri*	7,000	7,600	..	600	7,000	7,000	..	..	..
Greenwich	240	..	120	..	120	..	..	..	9/-
Ohnt	8,000	360	..	360	8,000	..	..	360	..
Harrington†	4,000	..	..	..	4,000	..	..	..	..
Earl Cornwallis	..	2,400	..	2,400	..	..	..	2,040	..
Venus	1,200	..	1,200	..	..	..	681	..	5/-
Hunter†	1,877	..	1,877	..	..	..	..	..	9/-
Pauline†	1,200	..	1,200	..	..	..	15	..	5/-
Florica	1,200	..	1,200	..	..	..	..	..	5/-
File	1,600	..	1,600	..	..	..	..	..	5/-
Amada	1,800	..	1,800	..	..	..	..	..	5/-
Maroline*	4,000	..	4,000	..	..	..	..	..	6/-
	59,294	30,896	26,974	8,896	32,120	22,000	1,049	4,856	..

* These vessels are from America. † Vessels from India.

Of the above quantities of spirits landed there has been purchased, on account of Government, the following quantity, from 28th September, 1800, to 31st December, 1801, viz. :—

For the use of Colonial vessels, constables, &c. ... 928½ gallons.

For the use of His Majesty's armed vessel Porpoise, 2,574 „

Average 6/7 per gallon.

STATE OF HIS MAJESTY'S SETTLEMENTS IN NEW SOUTH WALES.

31st December, 1801.

Civil Establishment consists of the following officers :—

Civil officers.

Governor.	Provost-Marshal.
Lieut.-Governor.	Secretary.
Judge-Advocate.	Surgeon, three mates, and
Two Clergymen.	one assistant.
Commissary and two Deputies.	Surveyor of Lands.
Two clerks to Commissary.	Boat-builder.
Two Storekeepers.	Nine Superintendants.

Of the above are absent, &c.,

One Clergyman.	Surgeon.
One Deputy Commissary	Surveyor, invalided.

1801	<i>Governor.</i> —As Governor-in-Chief and Captain-General the person administering that office is charged with the whole responsibility of all civil, judicial, and military concerns, also the constant inspection and control of the several departments and public works of every kind; this and the daily routine of requests, complaints, and appeals, together with the numerous occasional circumstances and events gives full employment for the whole of his time and every exertion of body and mind.
31 Dec. Duties of the Governor;	
of the Lieut.-Governor;	<i>Lieut.-Governor.</i> —This officer also commands the New South Wales Corps, acts as a magistrate, and consequently commands in the Governor's absence from any of the settlements where he may be resident at the time.
of the magistrates;	<i>Magistrates.</i> —From the distribution of superintendants (many of whom have been necessarily drawn from among well-behaved convicts, who are become free), it will be obvious that they are intelligible for the entire superintendence of Government concerns, which renders it necessary to appoint some officer of responsibility (in whom the Governor can place a confidence) to have the direction of public affairs under the Governor's inspection at each settlement, and also to act as magistrates. For that purpose the Governor's aid-du-camp performs that office at Sydney, the Reverend Mr. Marsden at Parramatta, and another officer at Hawkesbury; they deliver weekly returns of everything that is transacted under their direction,* and as a recompence for these essential duties each is allowed the labour of eight convicts, <i>i.e.</i> , four as a magistrate, and four for superintending the public labour and other concerns.
of the Judge-Advocate; of the Commissary.	<i>Judge-Advocate.</i> —This officer's duty will be more particularly noticed under the head of "Administration of Justice." <i>Commissary.</i> —This officer is charged with the provisions, stores, and every other article or concern wherein the public expence or expenditure is included. To assist him one deputy has charge of the provision-stores at Sydney, and one at Parramatta; a storekeeper has charge of the dry stores at Sydney; one of the grain-store at Parramatta; and a third has charge of the store at Hawkesbury; as there are only two storekeepers on the estimate, the third is a superintendant. Weekly returns are made by the deputies and storekeepers to the Governor and Commissary. No article of any kind is received into or issued from the stores without the Governor's written order, which part of his duty (or what he conceives to be such) is not the least perplexing, and constantly occupies one entire day each week. Those orders and returns are checked on the Commissary's accounts, which are inspected quarterly by the Governor, and transmitted annually by the Commissary to the Lords of the Treasury and to the
Deputies at out-settlements.	
Method of issuing stores.	

* *Marginal note in the original.*—"From which the quarterly and annual employment of those at public labour is made."

Commissioners for Auditing Public Accounts, which from Sept. 23, 1800 (when Governor Hunter left the colony), till Decr. 31, 1801, are forwarded by the conveyance this goes by, an abstract of which is annexed to this statement. The duties of this department being much increased to what they ever have before makes it necessary to observe that, exclusive of the receipts, care and issue of the provisions and stores, the Commissary is now charged with exchanging such articles as are sent by Government with the settlers, &c., for grain or animal food ; and disposing of the whalers' investments in the same manner, which effectually destroys all monopolies. These duties and the exactness required in keeping the different accounts require the constant attendance of four extra clerks, exclusive of the two allowed by Government, and as much responsibility is attached to this office, a reference* may be had to the instructions given the Commissary on Gov. Hunter's departure. It is perhaps sufficient to observe that the other officers of this department perform their respective duties.

1801
31 Dec.

Com-
missary's
clerks.

Military Establishment.—Consists of His Majesty's New South Wales Corps, under the command of the Lieut.-Governor, Lieut.-Col. Paterson. That part of them doing duty in the territory at this time are stationed as follows :—

The military
establish-
ment.

Where stationed.	Field Officers.	Captains.	Lieutenants.	Staff.					Serjeants.	Drummers.	Rank and File.
				Paymaster.	Adjutant.	Quartermaster.	Surgeon.	Surgeon's Assistant.			
Sydney and outposts	1	1	8	1	1	1	1	..	22	16	368
Doing duty on board sundry vessels.	..	..	..	..	..	..	..	..	..	..	24
Parramatta and outposts . . . .	..	..	2	..	..	..	..	..	3	..	82
Hawkesbury . . . .	..	..	..	..	..	..	..	..	..	..	12
Hunter's River . . . .	..	..	..	..	..	..	..	..	..	..	5
Norfolk Island	1	1	3	..	..	..	1	..	4	2	96
Total	2	2	13	1	1	1	1	1	29	18	587

Distribution
of Corps.

A corporal and four privates of the Corps are mounted as a body-guard to the Governor when travelling, and for the convenience of carrying orders expeditiously and safely from one settlement to another, for which extra duty the corporal has a shilling and the privates sixpence a day each. An ensign, non-commissioned officer, and one private are employed constructing, repairing, and having charge of our batteries and guns mounted on them, for which extra duty the ensign, &c., receive five shillings and eightpence a day Colonial pay, which is all the expence the Engineer and Artillery Department of this colony is subject to. At present, as all the above are only employed on military duty, their labour

The
Governor's
body-
guard.

Engineers.

* Marginal note in the original.—“Sent by former conveyances.” See ante, p. 191.

1801	is no otherways productive than as it tends to the general security.
31 Dec.	It was customary for all the women and children belonging to or living with the military to be victualled by the Crown, and the non-commissioned officers to have one convict each maintained at the public expence. Among other alterations this has been retrenched. Five women and their children are now victualled for each company of soldiers and the convicts drawn from the non-commissioned officers to public labour. The whole number of full rations issued for the military department, including the women and children, are 646. While the Irish convicts shewed such a spirit of sedition an association was formed, commanded by some officers of the civil department, and composed of free men and settlers, who were cloathed and victualled from the public stores. However, since that disposition to disturb the peace of the colony has subsided, the association has been disembodied.
Female servants victualled.	
Rations.	
A volunteer corps.	
The Navy.	<i>Armed Vessels.</i> —Consist of His Majesty's armed-vessel Porpoise and Lady Nelson, surveying vessel. During the year the Porpoise has been here she has been twice to Norfolk Island, and once for pork to Otaheite, for which place she is now refitting. The Lady Nelson has been employed surveying in Basse's Straits, on which service she is now absent.
Colonial built vessels.	<i>Colonial Vessels</i> are stated in the Appendix No. 1.* The Norfolk, Francis, and Bee have been advantageously employed to Norfolk Island, to the Coal Harbour for coals, and to the Hawkesbury for grain. The Norfolk sailed in Nov. last for Otaheite in quest of salt pork. To these has lately been added the Cumberland, which was nearly finished when Gov. Hunter left the colony. The small expence these vessels are to Government is by no means proportioned to the great use they are of, but it is to be observed that they, as well as the King's ships, are victualled from the stores of the colony, which requires 105 full rations for the whole.
Settlers.	<i>Settlers</i> are of two classes, <i>i.e.</i> , those who came free from England, and those who were convicts whose terms of transportation are expired, or who are emancipated. Of the first class, I am sorry their industry and exertions by no means answer the professions they made in England, several of whom are so useless to themselves and everyone about them that they were not only a burthen to the public but a very bad example to the industrious. As they brought no other property than their large families, many have been and will continue an expensive burthen on the public, or starve. This description of settlers are maintained by the Crown eighteen months, and have the labour of two convicts assigned to each, which is very sufficient to provide against the time of doing for themselves, but that period too often discovers their idleness and incapacity to raise the least article from a fertile and favourable
Free immigrants.	
Idle and incapable.	

* Information on this head will be found in the tabular statement dated 30th June, 1801. ante, p. 475.

climate, after having occasioned an expence of upwards of £250 for each family, exclusive of their passage out. The desirable people to be sent here are sober, industrious farmers, carpenters, wheel and mill wrights, who having been used to draw their food from the earth, secure and manufacture it, would here find how bountifully their labour would be rewarded. If they possessed a little money in England to purchase agricultural or other tools, according to their calling and other necessities, they would ever after (if prudent) find the great benefit of providing themselves with these necessary articles, and without them (which is the case with every settler hitherto arrived) they will have to contend with many difficulties and disappointments.

1801

31 Dec.

Artificers
required.Supply
of tools
necessary.

*Settlers who have been convicts** are by no means so destitute as the free settlers. Used for the most part to labour during the period of their sentence, all work is habitual to them. Many of this description do not quit their bad habits on resuming the condition of free men. *It is notorious that since the time Governor Phillip left this colony in 1792 the utmost licentiousness has prevailed among this class, altho' they have used the most laborious exertions in clearing land of timber, but unfortunately the produce went to a few monopolizing traders, who had their agents in every corner of the settlement, not failing to ruin those they marked for their prey by the baneful lure of spirits. So wretched has been this class that previous to Governor Hunter's giving up the command forty-seven settlers had assigned their farms and growing crops to satisfy their rapacious creditors, and many were compelled to leave their families destitute of the necessities of life. It is true that some of these class who have been agents to the higher class of dealers have comfortable dwellings, but the most part (whose interest has been forfeited on the soil they labour) have wretched hovels, and that in a country abounding in the best materials for building. It can scarce be credited that, in a soil and climate equal to the production of any plant or vegetable, that out of 405 settlers scarce one grew either a potato or cabbage till the want they have experienced during the last year has enforced the necessity of cultivating gardens. Growing wheat and maize, which are the articles required by the public store, has been their only object, and when that has been obtained it has often occurred that one night's drinking at the house of some of those agents has eased them of all their labour had acquired the preceeding year.*

Unreformed
characters.Wretched
and impro-
vident.Agriculture
neglected.The rage for
spirits.

I hope the reform so evidently commenced will continue. Industry appears to be returning, and all except a few abandoned characters among the settlers are endeavouring to regain the independance and comforts they have so long forfeited. The regulations respecting private investments† brought for sale, and the

Brighter
prospects.

* The italics are King's.

† Marginal note in the original.— "See General Orders transmitted."

1801	advantage Government has given the settlers of supplying their wants at 30 per cent.,* instead of paying 4 or 500 between the ship and the shore, and as much after to the retailers,—all these
31 Dec.	advantages appear to operate on this <i>hitherto oppressed</i> class of inhabitants who have enriched those now worth thousands, gained at the expence of the settlers' labours from the public purse. I do not mean to exculpate the settlers from their share of censure. The warnings of former Governors have been of little service, nor indeed could it be expected while the cause of these evils abounded so much, and while the trading individuals charged and recovered the extortionate charges they made without any check. <i>£8 per gallon for spirits was recovered at the Civil Court before Gov'r Hunter's departure, and the verdict confirmed in an appeal.</i> Among
Monopoly suppressed.	the regulations made on Gov. Hunter's departure, destroying monopolies, causing the proprietors to bond the spirits they brought for sale, restricting the price and distribution of it, ordering wheat and live stock to be accounted legal payments for debts, and reducing the price of grain, were, among many other regulations, objects of much animadversion, secret threats, and officious advice, all which have been silently contemned, and by persevering in the line of duty pointed out, it is hoped a continuation of that amendment which is so obvious will fully contradict the predictions, or rather hopes, of those who foretold the ruin of the colony from these regulations, and particularly from the prohibition of spirits.
High price of spirits.	There is a third description of settlers not mentioned, i.e., officers cultivating farms, among whom are a few who, from the great property they have acquired in money, farms, and stock, may be termed leading men among the settlers from the influence their property gives them. It is true that the exertions of these officers, altho' guided by their private interest alone, appears to have greatly forwarded the clearing land and raising grain, nor is it improbable but that the restraint laid upon monopolies and spirituous liquors has checked those exertions in a small degree, but at the same time it has increased the industry of the other description of settlers, who are now <i>beginning to enjoy</i> the fruits of their own industry, many of whom might now have been independant and had flocks of sheep from those distributed among them by Gov'r Phillip. Only one settler has reserved the produce of the ewes given him, the rest having been suffered to sell theirs a few hours after Gov. Hunter left the colony. The detail of officers cultivating land is stated in the Appendix No. 2.†
New regulations.	
Officers as farmers.	
Live stock of settlers.	
Government convict servants.	<i>Male convicts at public labor.</i> —As this class are victualled from the public stores, the labor of such as are not aged, ruptured, and otherways disabled (which are not a few), is for the public benefit,

* Interlinear correction in the original.—"50 per cent."

† Marginal note in the original.—"See Enclosure No. 7 in general letter No. 6 sent with this." The document is published in this vol., pp. 648 and 649 ante.

a great part of whom are not employed in producing grain, their labour being indispensable at other works of public necessity, as detailed in the "Quarterly Employment." By that statement it appears that (except at seed-time and harvest, when almost every other description are put to that necessary labor) two hundred are now employed in cultivation and preparing ground. The care of Government stock requires the constant attendance of fifty-one men, which are all classed under the head of agriculture. As the labor of this class is exacted from them by the hand of authority, they are not actuated by the same motives as those who labor for their own profit. This, with their perseverance in those crimes which brought them here, requires a constant and unremitting attention to make their labour the least beneficial. Nor can it be so productive as if guided by the will and for the self-interest of an industrious individual, which is very obvious by comparing the settlers who have just emerged from that state and the convicts who continue in it. There certainly are some exceptions, yet they are but few, as the same perverseness and indifference pervade the whole of this class, among whom are many of the United Irish, whose minds are constantly occupied in exciting confusion by their stubborn seditious principles, which requires great vigilance to counteract. The overseers placed over this class are not much better, for the want of the incentive of a certain reward, which is limited to their having the labour of one man each, with the prospect of emancipations and free pardons; it therefore often happens that notwithstanding the assistance given by the superintendants, that every exertion necessarily falls on the Governor, who alone is responsible, and consequently interested in the advancement and prosperity of the colony.

1801

31 Dec.

Stock-keepers.

The labour of convicts.

Overseers

The next class maintained at the public expence are servants to officers, civil and military, extra convicts allowed officers who do duty as magistrates, &c., and those allowed to free men who are in places of trust and receive no salary from the Crown.

Officers' servants.

Female convicts at public labour.—As most of these are of the worst description, and totally irreclaimable, being generally the refuse of London, very few of them are useful, except those employed spinning, who are mostly from the country.

Female convicts.

Convicts off the Store.—There are many convicts still under the sentence of the law who are, in consequence of good behaviour and long servitude, either allowed to get their own maintenance or allotted to settlers and other cultivators, the number of which amounts to six hundred and eleven men and two hundred and sixty-one women, who, in labouring for themselves, are advantageous to the colony without being of any expence to the Crown. On any improper behaviour they are recalled to Government labour.

Concessions to well-behaved convicts.

1801
31 Dec.
Land and
stock of civil
officers.

LAND GRANTS AND STOCK OF OFFICERS.

List of every Civil and Military Officer (including Storekeepers and Superintendents) in His Majesty's territory of New South Wales holding land by grant or lease, with the quantity of Ground Cropped, Stock, &c., as mustered in 1801.

Appointment.	Names.	Grants and Leases in their own names.			No. of acres purchased from settlers, &c.	Total No. of acres held.	No. of acres clear.	No. of acres in wheat and maize.	Quality and quantity of stock.					No. of convicts assigned.
		No. of Grants.	By whom given.*	Date of first grant.					Horses.	Horned Cattle.	Sheep.	Goats.	Hogs.	
Civil—														
Governor ..	Philip Gidley King	3	1G 2H	May, '98	254	254	120	51	3	..	134	..	40	4
Judge-Advocate ..	Richard Atkins	2	G	Feb., '98	170	1,070	688	584	35	19	650	25	300	22
Commissary ..	John Palmer	2	H	June, '99	660	720	53	53	..	..	..	..	..	3
Prov.-Marshal ..	Thomas Smyth	3	1G 2H	Oct., '94	201	326	126	108	5	15	340	..	9	4
Chaplain ..	Saml. Marsden	3	1P 1G 7H	Dec., '92	1,255	1,480	180	62	3	12	..	..	..	3
Principal Surgeon ..	Willm. Balmain†	1	G	Dec., '94	100	100	..	..	..	..	..	..	..	3
Assistant Surgeon ..	James Thomson	1	G	Nov., '99	147	172	21	..	..	..	..	..	..	1
Do.	D'Arcy Wentworth	2	1G 1H	Feb., '94	100	30	130	20	2	..	..	16	7	..
Surveyor-General ..	Augustus Alt	1	G	Oct., '94	102	388	..	16½	..	7	..	12	25	1
Deputy do.	Charles Grimes	2	1G 1H	..	..	..	..	..	1	..	..	..	..	..
Deputy Commissary ..	Wm. N. Chapman.	3	H	Sep., '96	87	..	..	..	..	..	..	..	..	2
Do.	James Williamson.	3	H	April, '99	101	161	..	..	2	..	6	2	1	1
Storekeeper ..	Rowland Haesal	2	1G 1H	Dec., '94	70	70	12	12	1	..	..	4	22	..
Do.	William Baker	2	1P 1G 2H	July, '92	231	339	52	50	4	6	50	..	20	1
Magistrate ..	Thomas Arndell	4	1P 1G	Nov., '92	60	110	16	8	3	..	25	..	8	1
Chief Constable ..	George Harrington.	2	G	Dec., '94	50	250	40	15	2	..	..	..	..	2
Superintendent ..	James Bloodworth	2	1G 2H	April, '94	190	200	45	25	4	..	95	..	40	3
Do.	Richd. Fitzgerald.	1	H	April, '99	100	100	12	8	1	2	..	..	..	..
Do.	John Jamieson	3	2G 1H	Jan., '94	218	218	68	..	1	..	5	..	..	..
Do.	Nichs. Davine	3	H	Oct., '99	470	470	5	..	1	..	..	..	..	1
Master Boatbuilder ..	Thomas Moore	1	H	..	..	..	..	..	..	..	..	..	..	..

* P. Philip; G. Grimes; H. Hunter.

† Under an agreement with Government for horned cattle.

OFFICERS' FARMS.

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LAND GRANTS AND STOCK OF OFFICERS—(continued).

Appointment.	Names.	Grants and Leases in their own names.			No. of acres purchased from settlers, &c.	Total No. of acres held.	No. of acres clear.	No. of acres in wheat and maize.	Quality and quantity of stock.					No. of convicts assigned.
		No. of Grants.	By whom given.*	Date of first grant.					Horses.	Horned Cattle.	Sheep.	Goats.	Hogs.	
Military—														
Lieut.-Colonel	Wilm. Paterson	1	G	Oct., '94	100	100	50	...	2	...	1,250	34	...	1
Major	Joseph Foveaux†	6	2G 4H	Feb., '92	2,020	2,020	...	...	7	27	1,386	85	20	12
Captain	George Johnston	5	1P 2G 2H	Dec., '92	586	586	200	100	...	136	970	...	...	10
Do.	John McArthur	4	2G 2H	Feb., '93	320	1,030	300	16	16	10	210	40	25	3
Do.	Thos. Howley	6	3G 3H	May, '93	667	905	120	28	8	10	...	...	...	4
Do.	Edwd. Abbott	2	H	Dec., '99	704	704	...	...	...	...	...	...	...	...
Do.	J. T. Prentice	2	1G 1H	Dec., '94	108	...	...	...	...	...	...	...	...	...
Do.	J. T. Townsend	3	2G 1H	Jan., '93	124	124	12	...	3	...	...	...	...	1
Do.	John Piper	3	1G 2H	Jan., '93	110	140	...	...	...	...	...	...	...	3
Do.	Neil Mackellar	1	G	Oct., '94	100	250	52	23	3	...	8	183	175	3
Lieutenant	Thomas Davies	1	H	Oct., '93	100	150	20	...	3	1	140	200	50	4
Do.	Thomas Hobby	2	H	Feb., '93	200	300	100	70	3	...	4	80	14	1
Do.	William Cummings	3	2P 1H	Dec., '92	300	260	50	24	...	...	...	...	...	3
Ensign	John Brabyn	...	...	...	...	...	...	...	1	...	...	...	...	...
Do.	William Moore	...	...	...	...	...	...	...	...	...	...	...	...	...
Do.	Nichs. Bayly	3	H	Oct., '99	631	631	30	8	1	...	...	...	8	1
Do.	Wilm. Minchin	...	...	...	...	...	...	...	...	...	...	...	...	...
Pymaster	William Cox	...	...	...	1,380	1,380	400	245	25	20	1,000	...	200	20
Surgeon	John Harris	5	1G 4H	Feb., '94	153	1,303	40	39	6	5	100	170	4	3
Do. Mate	John Roberts	...	...	...	100	100	...	...	...	...	...	...	...	...
Quarter-master	Thos. Laycock	5	1P 2G 2H	Feb., '92	448	1,003	100	31	17	68	340	30	12	9
Naval—														
Lieutenant	Wilm. Kent	3	H	May, '96	430	800	50	25	7	...	30	...	...	3
Do.	Robt. Braithwaite	1	H	Dec., '29	100	190	60	60	...	...	...	...	40	...

† Stock and land since the muster sold to Capt. McArthur.

§ Has purchased the stock and land of Major Foveaux since the muster.

PHILIP GIDLEY KING.

1801
31 Dec.
Land and stock of military officers.

1801

31 Dec.

Officers of
the Corps.

RETURN of Officers of the New South Wales Corps.*

Rank.	Name.	Rank in the		Where on Duty.
		Regiment.	Army.	
Colonel	Francis Grose	18 January, 1798	1 January, 1798	On duty in Ireland.
Lieut.-Colonel	William Paterson	18 January, 1798	"	With the Corps.
Major	Joseph Foveaux	10 June, 1796	"	At Portsmouth, in order to embark.
	George Johnston	25 September, 1792	Major, 1 January, 1800	With the Corps.
	John McArthur	6 May, 1795	"	On leave.
Captains	John Townson	"	"	With the Corps.
	Edward Abbott	11 November, 1795	"	"
	Thomas Rowley	21 June, 1796	"	"
	John Tho. Prentice	2 March, 1797	"	"
	John Piper	6 May, 1795	"	"
	Neil McKellar	11 November, 1795	"	"
	Thomas Davies	24 June, 1796	"	"
	William Burne	25 June, 1796	"	"
Lieutenants	James Hunt Lucas	30 September, 1796	"	"
	Anthony Fern Kemp	2 March, 1797	"	"
	William Parullo	3 March, 1797	"	"
	Thomas Hobbs	9 November, 1797	"	"
	Henry Crawford †	7 August, 1800	"	"
	John Baskyn	6 March, 1795	"	"
	William Moore	7 March, 1795	"	"
	T. Laycock	30 December, 1795	"	"
	William Minchin	2 March, 1797	"	"
	Nicholas Bayley	29 June, 1797	"	"
	John Maundrell	24 May, 1798	"	"
	Hugh Piper	29 March, 1799	"	"
	William Larson	29 June, 1799	"	"
	F. L. Barrallier	14 August, 1800	"	"
Paymaster	William Cox	23 September, 1798	"	"
Adjutant	William Minchin	23 September, 1798	"	"
Quartermaster	Thomas Laycock	23 September, 1798	"	"
Surgeon	John Harris	5 January, 1791	"	"
Asst. Surgeon	Thomas Roberts	26 January, 1791	"	"
		6 April, 1796	"	Sailed in June, 1800.

* The Return for 1802, practically, is identical with that for 1801; consequently, it is omitted from the printed records of the latter year.

† This officer did not reach the colony. He was drowned at Rio Janeiro on the passage to New South Wales.

Agents.—Messrs. Cox and Greenwood, Ord's Court.

IMPORTATION OF SPIRITS.

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of Spirits and Wine imported into His Majesty's Colony 1801
New South Wales between the 28th September, 1800, and 31 Dec.
st December, 1801, with the quantity sent away and remains
that landed being lodged in His Majesty's stores and given The spirit
t as the Governor grants permits. traffic.

Name.	Gallons Imported.		Gallons Landed.		Gallons sent away.		Gallons remains bonded in the King's store.		Price limited for Spirits.
	Spirits.	Wines.	Spirits.	Wines.	Spirits.	Wines.	Spirits.	Wines.	
/	1,400	276	1,400	276	..	..	..	..	per gal.
..	374	..	374	..	..	..	..	..	8/-
imiral	7,200	840	7,000	840	200	..	..	..	5/-
†	4,000	..	4,000	..	..	..	..	..	4/-
er	2,800	3,000	2,800	3,000	..	..	353	2,456	10/-
ee*	13,000	15,000	..	..	13,000	15,000	..	..	8/-
t	3,000	700	3,000	700	..	..	..	..	6/-
..	7,500	..	7,500	..	..	..	..	..	6/- & 8/-
a	300	240	300	240	..	..	..	..	9/-
..	480	480	480	480	..	..	..	..	..
e	7,000	7,600	..	600	7,000	7,000	..	..	..
ch	240	..	120	..	120	..	..	..	9/-
..	8,000	360	..	360	8,000	..	..	360	..
ont	4,000	..	..	..	4,000	..	..	..	..
nwallis	..	2,400	..	2,400	..	..	..	2,040	..
..	1,200	..	1,200	..	..	..	681	..	5/-
..	1,877	..	1,877	..	..	..	..	..	9/-
†	1,200	..	1,200	..	..	..	15	..	5/-
..	1,200	..	1,200	..	..	..	..	..	5/-
..	1,600	..	1,600	..	..	..	..	..	5/-
..	1,800	..	1,800	..	..	..	..	..	5/-
e	4,000	..	4,000	..	..	..	..	..	6/-
	59,294	30,896	29,974	8,896	32,120	22,000	1,049	4,856	..

* These vessels are from America.

† Vessels from India.

he above quantities of spirits landed there has been pur-
on account of Government, the following quantity, from
ptember, 1800, to 31st December, 1801, viz. :—
the use of Colonial vessels, constables, &c. ... 928½ gallons.
the use of His Majesty's armed vessel Porpoise, 2,574 ,,
Average 6/7 per gallon.

OF HIS MAJESTY'S SETTLEMENTS IN NEW SOUTH WALES. 31st December, 1801.

'establishment consists of the following officers :—

Civil officers.

ernor. Provost-Marshall.
eut.-Governor. Secretary.
dge-Advocate. Surgeon, three mates, and
ro Clergymen. one assistant.
mmissary and two Deputies. Surveyor of Lands.
ro clerks to Commissary. Boat-builder.
ro Storekeepers. Nine Superintendants.

Of the above are absent, &c.,

ie Clergyman. Surgeon.
ie Deputy Commissary Surveyor, invalided.

1801	in the year 1801, and the probability that the number sent out will be greatly increased <i>when</i> the war is over, that circumstance is to be kept in view. It is true that nine months' salt meat is sent with each ship for the convicts they bring, and that a greater quantity of grain may be raised in the year if they arrive at the proper time ; but it is not so with the increase of animal food.
31 Dec. The meat supply.	
Wild cattle.	<i>Wild Cattle.</i> — <i>Altho' the wild cattle are getting very numerous, yet from their ferocious state and their distance from the settlements, no certain dependance can as yet be placed on them. It is probable the mountains will stop their progress westward, and in which case they must return eastward, which will put them within our reach, and to ascertain this point an officer is gone with a party to endeavour establishing the possibility of being able to get over this barrier.</i>
Horses.	<i>Horses.</i> —The horses being mostly of the Cape breed are far from being so useful as the English breed would be ; they are generally appropriated to labour.
Sheep.	<i>Sheep.</i> —Sheep, where they are taken care of, do very well, but many die by the footrot and water in the head. The greatest proportion of sheep belong to individuals, which, by the introduction of three Spanish rams in 1797, are improving greatly in their wool. Some half-bred Spanish rams that have lately been procured for Government flock have greatly improved the fleeces, which, being of the Cape breed, are entirely hair.
Private stock.	Stock belonging to individuals consists of nearly the following numbers :—Cattle, 344 ; horses, 226 ; sheep, 6,091 ; goats, 1,310 ; swine, 4,760 ; the value of which, according to the preceeding estimate, amounts to nearly £62,859. The cattle have been procured from those brought for Government in the Gorgon in 1791, which were given to certain officers by Major Grose. Some few cattle, horses, and sheep were brought from India and the Cape by masters of ships, which the officers bought. I have already remarked that previous to Governor Phillip's departure he gave each settler two ewes belonging to the Crown ; to some officers he had been equally liberal. As these sheep were given with an expectation and an injunction not to be parted with, it was hoped that each settler might raise a good stock ; but on his departure every ewe, except those belonging to one settler, was purchased from those unthinking people at five gallons of spirits a head. This accounts for so great a proportion of sheep being in the hands of officers, and those which do not now belong to officers have been sold by them to the present possessors. Beef, when killed by individuals, is sold at 3s., and wether sheep at the rate of 2s. per lb. Purchasing beef or mutton at that rate for Government is out of the question. The hogs, which are more equally divided, being so few in number, are generally appropriated to the use of the settlers and people who support themselves, and many have necessarily
Phillip's donations.	
Improperly used.	
Hogs.	

been sold to ships. Much encouragement was held out to settlers to put their overplus fresh pork into the stores ; but owing to the losses of grain and hogs by flood, and the necessity of supplying their own families and *their* labourers from this species of stock, has hitherto prevented them from supplying the stores with any.* It will therefore appear that the general dependance must be placed on the horned cattle, which increase and thrive so well that in a few years there will be a great abundance of that stock, if not too soon and incautiously began upon for the maintenance of the inhabitants, which I have already shewn would last but a short time.

1801
31 Dec.

Prolific
horned
cattle.

From the preceeding part of this statement it appears,—

1. That out of 5,975 souls in the territory, 3,273 support themselves without any expence to the Crown. Free people.

2. Respecting grain raised by those at public labour for those supported by the Crown, it is obvious that the necessity of carrying on several indispensable public works, and the great proportion of civil, military, invalids, aged, infirm, and children who do no public labour, is the cause why the grain raised by those at public labour is insufficient for the use of those unavoidably maintained at the expence of the Crown ; and that the deficiency is either purchased from the settlers or exchanged for such necessaries as Government has sent and will continue to send out.

The supply
of grain.

3. Respecting animal food, the numbers who support themselves are necessarily requiring the produce of their stock for their own support. The accumulating increase of Government cattle is the only certain dependance for animal food for those maintained by the Crown, for the preservation and increase of which salt pork should be sent here for a few years, although there is great reason to hope the want of that supply will decrease yearly, particularly if supplies can be procured from the Society Islands and more cows can be obtained ; but if a number of people are sent out yearly the term of not needing further supplies of animal food must consequently be prolonged.

The meat
supply.

4. As the sugar is a part of the ration ordered by the Treasury, it is continued to be issued ; but being got at 6½d. per lb. the expence is not half what it would be if wheat was substituted in lieu of it. Sugar.

5. Respecting cloathing, the present quantity of sheep, the indifferent quality of the fleeces, the flax being in its infancy of growth and manufacture, and the great want of two persons perfectly qualified to superintend and direct those works, renders it necessary to continue sending supplies of cloathing here for the use of those maintained by the Crown, as well as a quantity for those who maintain themselves, to be given in exchange for grain.

Clothing
from
England.

* Interlinear correction in the original :—" Except in one or two instances."

1801 6. In explanation of the five preceeding paragraphs it is necessary to make the following estimate of what the expence will amount to for maintaining those necessarily maintained by the Crown. The present number of full rations victualled is 2,365; but allowing 200 more, which I presume is the least number that may arrive this year, the number of full rations may be averaged at 2,565, at £16 7s. 2d. each, is £41,959 2s. 6d. per annum.

Cost of main- A full ration for one week consists of the following articles, tenance. with the value thereof, for twelve months, viz. :—

	£	s.	d.	
4 lb. pork sent from England, supposed 1s. per lb. ...	10	8	0	per ann.
12 lb. wheat, at 8s. per bushel is 1½d. per lb. ...	4	11	0	do
6 oz. sugar, at 6½d. ...	1	8	2	do
Value of a full ration for twelve months ...	£16	7	2	

Civil, mili- For the clearer understanding the description of people supported at the expence of the public, the different classes are thus tary, and convicts. particularized, and the annual value of their full ration, viz. :—

	£	s.	d.	
46 full rations to Civil establishment, at £16 7s. 2d. each	752	9	8	
662 do military do do ...	10,829	4	4	
72 do settlers lately arrived do ...	1,177	16	0	
1,414 do convicts, &c., at public labour, including invalids, sick, aged, infirm officers, servants, women, and children at £16 17s. 2d. ...	23,130	13	8	
66 do orphan and deserted children ...	1,079	13	0	
2,260 do will cost the Crown, supposing a full ration to be constantly issued ...	£36,969	16	8	

To this estimate must be added the value of two suits of slops a year to each convict at public labour, i.e., 1,759, at £1 7s. 10d. each suit.

Wheat and The produce of the grounds cultivated for the public benefit maize. is as follows :—

	£	s.	d.
1800 :—Wheat, 3,600; maize, 1,480 bushels ...	1,800	0	0
1801 :—Do 7,600; do 2,000 do ...	3,440	0	0

Pork from the South Seas.

Experiment of obtaining salt pork from the Society Islands.—

From the missionaries' accounts, as well as from Cook's and Vancouver's voyages, and the very recent visits of whalers to Otaheite, it was probable a quantity of pork might be obtained from that and other islands in the Pacific Ocean. Some salt had been purchased from a whaler, and a sufficiency was made here to salt about fifteen or sixteen tons of pork. Casks were collected, and some articles got together for barter as soon as the Porpoise could be got ready. After making two voyages to Norfolk Island, I sent her to Otaheite, giving the commander such orders as I thought most likely to enable him to attain the object of his voyage. After an absence of nineteen weeks she arrived with a very

A supply by the Porpoise.

timely supply of 31,000 pounds of excellent salt pork for the use of the colony, procured at the trifling expence of 2½d. per lb., counting every expence. The Porpoise stopped at Tongataboo, one of the Friendly Islands, on her return, but found the inhabitants of this once plentiful island starving. From the assurances I received from the chiefs of Otaheite and the missionaries established there, I have reason to suppose that island will continue to afford us a supply of salt meat, as we now make a sufficiency of salt to keep up the connexion. As the Porpoise wanted great repairs, I despatched a small Colonial brig of fifty-six tons (the Norfolk)* with salt, casks, and such articles as could be collected for barter and presents to the chiefs. She sailed the 8th Nov., and may be expected to return about next April. When the Porpoise returned from Otaheite, Mr. George Bass (late surgeon of the Reliance), who ascertained the existance of the straits that separate Van Dieman's Land and New Holland (which bear his name), was here in a small vessel going to the north-west coast of America, but as he had learned that skins were no object for the China market, he offered to go to those islands and procure what salt pork he could, and let Government have it at 6d. per lb. I agreed to his making the trial, which I was induced to do, knowing that every pound of pork brought here from England stands the Crown in 1s. a pound. If articles for barter can be collected, the Porpoise will go again in April, when the Norfolk may be expected to return. Notwithstanding the success that attended the first experiment, a constant supply cannot be expected. Exclusive of the caprice of the natives in supplying hogs, it is well known that at Otaheite there is often a necessity for preventing the swine being killed, and that being the only island that needs little or no precaution for the safety of those who visit it. At every other island some address and much circumspection is necessary in having any communication with the natives, which the momentary error either of a native's or seaman's might destroy. It is on these accounts and the want of proper articles for barter that renders the certainty of this supply quite eventual, and by no means to be depended on, altho' it is of too much consequence to be neglected.

1801

31 Dec.

A permanent source.

Surgeon Bass.

Contracts for the supply of pork.

Dealing with the island natives.

Cloathing.—To supply the want of cloathing we have no present means in any material degree, and the only prospect of acquiring it is by the growth of wool and cultivation of flax.

Flax culture.

In the preceeding part of this statement I have noticed the numbers and manner in which the sheep are distributed, their diseases, and improvements in the fleeces by the introduction of Spanish rams, as the covering of Government sheep is mostly hair. The wool belonging to individuals' sheep was received into the manufactory and coarse blanketting made of it, the proprietors of the wool receiving one yard out of four. Since Governor Hunter's

Wool.

The manufacture of blankets.

* Formerly the Harbinger—post, p. 660 (note).

- 1801
21 Dec. departure 676 yards have been made and returned into the store, after deducting the owner of the wool's part. As about thirty-six full rations, on an average, have been employed, most of whom being convalescents or invalids were unfit for any other labour, and as an encouragement to the convict who has the charge of that work and the weavers, they are allowed 1d. per yard, which brings the blanketting given into the stores to 20s. per yard. When the wool gets of a finer grain and more plentiful (as there is not now sufficient to give constant employment) the cloth may be made of a texture fit for common apparel; but as this desirable event depends on the increase of the sheep and improvement of the fleeces, it will be some time before woollen cloathing can be furnished from that resource.
- Prospective
tweed
factory. From a small quantity of European flax-seed a sufficiency has been grown to make 279 yards of fine and 367½ of coarse linnen, according to the samples sent with this. As the person appointed to superintend this necessary object was drowned on the passage out,* an Irish convict conducted that manufactory. Every woman that can spin has been employed since October, 1800. As the man this charge was given to has turned out a worthless character, it would be proper to send a free man from England who understands the growth and manufacture of this necessary article, and whose character for sobriety, diligence, and having a thorough knowledge of his business would bear the strictest enquiry and be depended on. With such a man a very great progress would be made in manufactuing linnen. Until one can be sent the growth and manufacture of flax will be constantly attended to. From what has been stated under this head the necessity of continuing to send cloathing here will be obvious. The quantity required for those at public labour is two suits each man and woman, at — per annum, giving constables and others on particular occasions and losses additional suits or separate articles. Of bedding, it is much to be regretted that few or none of the labouring people are possessed of the least article.
- Linen. Having detailed every circumstance that respects the expences within the colony, *i.e.*, for the maintenance of those supported at the public expence, I shall next state such further information respecting this settlement which appears necessary to communicate.
- A weaver
required. From what has been already stated it is obvious that a mixture of the inhabitants would be very desirable. If fifty respectable families, the heads of which ought to be good practical farmers, were sent here with the idea of staying here all their lives, much improvement would be made in that pursuit. People without any property will find themselves very uncomfortable and ill provided for, but with about £200 or £300 in England they might provide such necessaries and comforts as they would long feel the advantage of. Altho' much of the ground about the settlements in its
- Clothing.
- Respectable
settlers
wanted.

* Vol. III, p. 748; ante, pp. 82 and 182.

natural state is of an indifferent kind, yet there is a very sufficient proportion of as fine soil as in any part of the world, and at some distance large tracts of a fine country that might be cultivated to great advantage, and the whole surface is perhaps unequalled for grazing-ground, either for sheep or horned cattle. Of fresh water there is certainly no want, the convenience of streams in many places being amply supplied by ponds of good water, and almost all situations produce water by digging wells. Thus there can be no want of good land and every other natural convenience for a number of settlers, but great care should be used in the selection of those who are sent out, as any other callings than the farmer, carpenter, millwright, and wheelwright are very unequal to provide for the large families they bring out, and would in all probability prove a continual and expensive burthen to Government.

1801

31 Dec.

Fertile country.

The water supply.

Artisans required.

This colony being a place of exile for those who have violated the laws of their country, it is necessary to observe that at this moment no other natural production is known of that can defray any part of the expence except coals. The want of proper vessels to transport them, on the part of Government, to the Cape of Good Hope has become an objection to sending any there, as the Colonial vessels are much too small for a voyage of that kind, and the Porpoise, which would not carry more than one hundred and fifty tons, has been hitherto more advantageously employed. Some ships that brought convicts have taken a few tons to India. As a settlement has been made at Hunter's River, where the coal is found in such abundance, vessels are sent occasionally to bring them for the use of the colony. The river and surrounding country has been recently examined, and from the report of the officer who went on that service since Col'l Paterson was there, it appears very intelligible for an agricultural settlement. The only articles that could be raised (if hereafter no natural productions are discovered) would be wine, cotton, or indigo. The probability of raising either to advantage I shall endeavour to state.

Coal the only natural product.

Exported to India.

Hunter River.

When this colony was first settled the growth of vines was an object of Governor Phillip's attention. The vines then planted in gardens did extremely well for the first four years, and the management of vines not being understood, they failed so much that for the last two years not 20 lb. of good grapes were produced, except from a vine here and there in situations entirely sheltered from the southerly and S.E. winds.

Viticulture.

For the last two years, in the course of one night every vine has been blighted, the grapes and leaves being entirely burnt up. Whether this is owing to a blight in the air or any other cause we are at a loss to guess. In December, 1800, two Frenchmen engaged by Government to superintend the growth of vines and make wine arrived here. As the vines then in the colony were all that remained of those first planted in gardens, and quite

The blight.

- 1801 spoiled by bad management and other causes, they planted about 7,000 cuttings in the most favourable situation, and are now doing very well, but it will be at least two years before they bear fruit. How far they may be still liable to blight and being destroyed must depend on the result, but in the meantime planting those cuttings in different situations will be persevered in until a sufficient experiment has been made.
- 31 Dec.
A vineyard.
- Cotton. Respecting cotton, much seed has been sown here, both from the Bahamas and the Isle of Bourbon. Experience has proved that it will not do here, but there can be no doubt of its succeeding further to the northward if a harbour and access to it can be found within and through the Labyrinth from the latitude of 20° to Cape York. Indigo would also thrive extremely well between those parallels. *In the course of the next summer two of the Colonial vessels, if they can be spared, will be sent to explore the coast and the openings of the Labyrinth,* from Sandy Cape to the north point of this continent, if that should not be an object of Captn. Flinders' researches.* And should an eligible situation for a settlement with respect to a port, access to it, and soil, be found within that space,† forming an establishment for the express purpose of cultivating cotton and indigo, with maize for the subsistence of those sent there, might in the course of time prove highly productive and beneficial, as the cotton might be advantageously disposed of at China, and the indigo sent to European markets. In the event of such a place being found, the particulars should be transmitted to England, and if Government judge necessary to form such an establishment a proper person should be sent from England. If a man of activity both of body and mind, acquainted with the cultivation and manufacturing these articles, and who has been sufficiently habituated to the manners of the better sort of mankind to command and enforce obedience and respect, such a person would in all probability be successful.
- Indigo.
- Discovery. It would also be advisable to send a certain number of convicts, male and female, in the same ship, and to be sent to the new settlement at once, so as to have as little intercourse as possible with this place. However, until such a situation is found any further observation on this subject is premature. Fustick‡ has been found at Hunter's River, samples of which are§ sent. It grows very small, but appears to be an excellent dye, nor can there be any doubt but the country affords many valuable articles which time must discover. An officer|| is going a journey into the interior at least so far as to endeavour ascertaining whether there is a passage
- Foreign markets.
- A leader.
- A new settlement.
- A dye discovered.

* The name given by Captain Cook to the part of the coast lying within the Barrier Reef between Capes Weymouth and York, being the part along which he coasted after passing through Providential Channel.

† *Interlinear correction in the original* :—"By Captn. Flinders."

‡ Fustic is a tree, the wood of which is extensively used in dyeing yellow.

§ *Interlinear correction in the original* :—"Have been."

|| Ensign Barrallier.

thro' the mountains. That fact once known it is my intention to form a chain of depôts for provisions to enable him to continue his pursuit without returning for provisions. A person* employed by Sir Joseph Banks is also going on a similar pursuit, and I hope much will be done by the scientific people† who I am told may be expected in the Investigator. Much has been done towards exploring the coast to the southward by Captain Flinders and Mr. Bass,‡ but I can observe nothing in either of their narratives to conjecture that a more eligible situation exists on every account for forming the principal settlement at than Port Jackson. Nor can I discover from their observations any other place proper to fix another settlement at to the southward of this, unless in the straits, either at Port Dalrymple on the south, or Western Port on the north side. Perhaps the former would be the most eligible place on account of the prevailing winds which are from the south to west. Since the discovery of Basses Straits, and the chart published by Arrowsmith, the following vessels have gone thro' them, and from their observations the charts that accompany this are formed: The Lady Nelson passed thro' coming from England in December, 1800. She made the land in latitude 38°, long. 141°, and kept along the New Holland shore. In January, 1801, a small brig§ from the Cape of Good Hope, commanded by Mr. Black (a person of good abilities as a surveyor and navigator) passed thro', and keeping more to the southward made Cape Albany Otway, and standing across to the southward made an island lying in the centre of the west entrance of the strait, which he named "King's Island," and afterwards passed thro' the centre of the straits. A few days after a brig|| from England made "King's Island," and having met with an uncommon easterly wind, was ten days getting through. She worked from the north to the south side and passed thro' Banks's Straits. Since then two vessels have been for six months together sealing at different times of the year, and have attempted to get to the westward of Western Port, but could not succeed owing to the constant west and south-west winds, which blow with scarce any interval, and sends a very great sea quite thro'. As these vessels were extremely well found and persevered greatly, I am led to believe that a passage to the

1801

31 Dec.

Exploration
of the
interior.Anticipated
results.Flinders and
Bass.A southern
colony.

Bass Strait.

King
Island.Exploration
in Bass
Strait.

* George Caley, the botanist. Vol. iii, p. 516 (note).

† Robert Brown, naturalist; Ferdinand Bauer, natural history painter; William Westall, landscape painter; Peter Good, gardener; and John Allen, miner. Flinders's "Terra Australis," vol. i, p. 15.

‡ See Bass's "Voyage in a Whaleboat," vol. iii, pp. 312-333, and Appendix B, vol. iii, pp. 769-818.

§ The Harbinger, a brig of 56 tons burden. This was the vessel Governor King purchased for £700 in May, 1801. He renamed her the "Norfolk," and employed her in carrying despatches, stores, &c., to Norfolk Island. In November, 1801, King sent her to Otahete for a cargo of salt pork, in charge of William House. While lying at anchor in Matavai Bay, being unable to ride out a heavy storm, her cable was cut, and she was allowed to drive on shore. She must not be confused with the Colonial built sloop, "The Norfolk," in which Flinders and Bass circumnavigated Van Diemen's Land. This vessel was built by Captain Townson in 1798. She was seized by a number of convicts, who made good their escape in her prior to the purchase of the Harbinger.

|| The Margaret, Captain Buyers.

1801
31 Dec.
The utility
of the
Strait.

Sailing
directions.

A pre-
liminary
chart.

An inland
sea.

The whale
fishery.

Cape of Good Hope through those straits, if not impracticable, would be very unadvisable to attempt. But for ships coming from the westward these straits are certainly most happily situated as no ship need go higher than $39^{\circ} 30'$ S., and every seaman knows the difference there is in the weather in that latitude and in 45° , which ships must necessarily get into to round Van Dieman's Land. It is true that the wind is constantly from the westward and S.W. until the distance of the South Cape, when it invariably comes from the N.E., which causes nine ships out of ten to be from ten to fourteen days getting to Port Jackson after having rounded the Cape, all which is avoided by passing thro' the straits, which are sufficiently wide. The distance from Cape Albany Otway to King's Island not being more than 16 leagues, the parallel of $39^{\circ} 15'$ takes a ship clear of all. The latitude and longitude of Wilson's Promontory, from many coinciding observations and by chronometers, is $39^{\circ} 10'$ south, and $146^{\circ} 52'$ east.* The chart† that accompanies this is not meant as a conclusive one, as much additional information is expected from the Lady Nelson's present voyage of survey, which she sailed on in Nov'r last, nor can a chart be considered as perfect until Capt'n Flinders has examined the straits; still the one now sent may be published as a sufficient guide for any vessels using the common precautions on their way hither. The conjecture of N. S. Wales being insulated from New Holland still remains undecided.‡ Lieut. Grant, in the Lady Nelson, saw no land at the bottom of Portland Bay in passing it, but his survey of Wilson's Promontory and Western Port does away with the supposed opening between these points, which was presumed might be the south entrance of such a separation, as it lies nearly in the meridian of the Gulf of Carpentaria. Respecting the whale-fishery on this coast, it has certainly succeeded so far that three ships have gone home loaded with spermaceti oil, i.e., Eliza, Britannia, and Albion. Six are now on the coast and off the north end of New Zealand. When last heard of they had various success. Some had upwards of 600 barrels (70 tons). Every ship that comes here, and indeed our Colonial vessels, always see great quantities of whales; but the objection on the part of the masters of the whalers is the frequent gales of wind that happen on this coast. However, as it is certain that whales may be caught in great plenty here, this coast will generally be preferred to the coast of Peru in war time, and even in peaceable times. The run by Van Dieman's Land is less destroying in wear and tear than by Cape Horn, which will not only give the whaler the chance of bringing prisoners and stores out, but also enable them to try this coast before they go to the coast of Peru. PHILIP GIDLEY KING.

* The true position of Wilson's Promontory is $39^{\circ} 7' 55''$ south latitude, and $146^{\circ} 27' 5''$ east longitude.

† This chart is not available. See, however, that sent Home by King in March, 1801, *ms.*, p. 311.

‡ Ante, pp. 207, 287.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

1802

Sir,

1st January, 1802.

1 Jan.

I have received the letter wrote by Ensign Bayly to you, dated the 29th ult'o,* which you have laid before me.

I have to request you will direct the officers, civil and military, to be convened at your house at 8 o'clock on Sunday next, the 3rd instant, and cause to be read to them His Royal Highness the Commander-in-Chief's letter to you of March 6th, 1799,† my letter to you dated the 8th September, 1800;‡ the 7th article of my Instructions to Major Joseph Foveaux§ previous to his going to Norfolk Island, and the copy of an Instruction received by me in my last dispatch from His Majesty's Principal Secretary of State for the Home Department,|| also this letter.

A meeting of officers.

Documents to be submitted to them.

I now proceed to reply to the different points contained in Ensign Bayly's letter to you, in the order of the different paragraphs.

1st. In consequence of many repeated daring attempts made by several people in this colony to obtain spirits in the most illegal and collusive manner, in defiance of my authority, particularly by a noted dealer, agent, and smuggler, I directed his premises to be searched for spirits, to ascertain the quantity he had, previous to my granting further permits. In this man's possession was found a cask containing the remains of sixty gallons of spirits I gave Ensign Bayly a permit for a few days before, for his domestic purposes, and which the agent informed me he was to deliver to such people as Ensign Bayly might give orders to, which Ensign Bayly also states in his letter to me of the 28th ult'o,¶ in consequence of which I directed the King's mark to be put on those spirits, and detained as having been come improperly by, and, for aught I know, appropriated to purposes directly contrary to the indulgence given that officer of being allowed to purchase that quantity of spirits for his domestic use, which he had made over to a licensed retailer of spirituous liquors contrary to the meaning of the documents stated in the second paragraph of this letter, and my General Order of the 24th October last.**

Smuggled spirits.

A seizure.

2nd. A copy of Ensign Bayly's letter†† to me, which he has not furnished you with, I enclose, with my remarks upon it; the answer it appears you are possessed of.

3rd. How far the General Orders of the 24th last October†† have a reference to what Ensign Bayly terms "the present business," I must leave to you to determine. I certainly meant it should have the most forcible application to every irregularity of the kind, and if I did not particularize officers in the general

The General Order.

* Ante, p. 643.

† See Colonel Brownrigg to Lieut.-Colonel Paterson, vol. iii, p. 639.

‡ Ante, p. 139.

§ Ante, p. 102.

¶ Ante, p. 425.

|| Ante, p. 641.

** Ante, p. 598.

†† Ante, p. 641.

‡‡ Ante, p. 598.

1802
1 Jan.
Spirits for
use of
officers.

description of "any persons," it was an adherence to the same delicacy I have ever observed on those occasions, the instances of which are numerous. Ensign Bayly's remark on the sentence, "for their domestic purposes," is truly just and critical. In the rough copy of the Orders, that sentence was included in a parenthesis, to distinguish it from the quotation. The person who copied it into the General Order Book omitted that distinction, which I certainly could not mean to insert in contradiction to my own handwriting and orders.

Regulations
on the
subject.

4th. I received Ensign Bayly's letter of the 28th ult'o* at noon, and sent the answer* by my orderly at the same time he carried the General Orders of that day.† How far back every officer's conduct ought to have been regulated on this head must be proved by the injunctions contained in His Royal Highness the Commander-in-Chief's letter to you,‡ my letter to you of the 8th September, 1800,§ and my Instructions|| to Major Foveaux on this head, which I ought not to suppose either you or Major Foveaux left the officers ignorant of.

Ensign
Bayly.

Ignorance of
regulations.

5th. It is possible that Ensign Bayly may not have had the King's Instructions as contained in my letter to you, or my Instructions to Major Foveaux, communicated to him; still I cannot help thinking it singular that such a public occurrence, affecting the officers under your command in so particular a manner, should not have reached his ears either at this place or Norfolk Island; and I believe it generally understood that every officer ought to inform himself of the existing Orders and Regulations of the Garrison he serves in, and that such an alleged ignorance does not shelter any officer for a breach of those Orders, when he has the means of knowing them, which Ensign Bayly and every other officer in this colony certainly has by the General and Regimental Order Books. However, let this be as it may, surely Ensign Bayly could not be ignorant of the Duke of York's injunctions to you as Commanding Officer of the Corps on this head.

An officer
censured in
General
Orders.

6th. The officer I alluded to in my General Order of the 28th ult'o, was Ensign Bayly, and as I never heard of any other officer abusing the indulgence I have given them by permitting them to receive more than the forty gallons of spirits annually for their domestic purposes, I hope, and am persuaded, that no one of them will view that Order as the most distant censure on their conduct, which I have every reason to believe has been perfectly correct on this head since I took the command; and sorry should I be to find myself obliged (under the present restrictions and

* Ante, p. 641.

† Ante, p. 640.

‡ It is presumed that the Governor here refers to the letter addressed to Lieut.-Colonel Paterson from the Horse Guards, 6th March, 1799, vol. iii, p. 639.

§ Ante, p. 139.

|| Ante, p. 102.

regulations) to withdraw those indulgences from the officers, whilst the colony is so unfortunate as to have spirits brought into it. 1802 1 Jan.

7th. Having replied to the different points contained in Ensign Bayly's letter, I must now refer that officer's conduct (which I consider as highly censureable) to you, he being an officer in the Corps you command. Bayly's conduct referred to his commander.

I can have no objection to any part, or the whole, of my public conduct in administering the Government of this colony being represented to the authority competent to decide thereon; and at the same time I must observe that no difficulties, opposition, collusion, or alleged ignorance of Public Orders will ever occasion the least relaxation in my efforts to carry His Majesty's Instructions into full execution and effect, by every means that my authority invests me with. Instructions will be enforced.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

1st January, 1802.

A SOLDIER of the Parramatta detachment, has with great propriety complained of a licensed retailer of spirituous liquors exacting from him 8s. per quart,* which, being investigated by a magistrate, it appeared that the charge had not only been made, but also that it has been customary. The Governor has already, and will persevere in destroying monopolies and extortion to the extent of his authority. Every licensed retailer of spirituous liquors who demands more than 20s. per gallon for spirits, which is not to be exceeded by any person whatever, will forfeit their license and recognizance, and other offenders will be dealt with according to their situation. The price of spirits.

A serjeant has, with an equal degree of propriety, brought forward a licensed retailer who has made use of short measures, and on the magistrates' inspection several other short measures were found. As most of those short measures were made by Thomas Collier and Thomas Randall, all licensed persons are to attend with their measures at the Court House on Monday next, when they will be examined by a magistrate and the Provost-Marshal. Those measures that are found just are to be stamped†; those which are deficient are to be replaced by others of a full measure, at the expence of the licensed person, or the maker if he has deceived his employers. Short measures.

The bakers and other retailers will also attend on Tuesday, with their respective weights and scales. No other than those that run the full weight are to be retained; those that are deficient to be immediately replaced by full weights properly stamped. Any Standard weights and scales.

* As much as £8 per gallon for spirits had been recovered in the Court prior to King's arrival—ante, p. 658.

† Vol. III, pp. 406, 447, 531.

1802 person whatever hereafter detected in using short measures or
 1 Jan. light weights, or any that are not properly stamped, will, on conviction before two magistrates, be fined in the sum of ten pounds, (to the Orphan School) for each weight or measure that may be deficient. The magistrates, the Provost-Marshal, head constable, and serjeant-major, to search at all times they may judge necessary, for short weights and measures.

The ration. A full ration of wheat will be issued to the civil and military, and to the prisoners, if there is a sufficient supply of grain during the ensuing week.

PHILIP GIDLEY KING.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

3 Jan. Sir, Sydney, 3rd January, 1802.
 Arrest of Ensign Bayly. Agreeable to your Excellency's commands of the 1st instant, I assembled the civil and military officers of the colony at my house this morning. As Ensign Bayly declined attending, I have judged it necessary to order him into arrest for disobedience of orders, and request a General Court-Martial may be convened for the trial of that officer.

I have, &c.,

WM. PATERSON.

GOVERNMENT AND GENERAL ORDER.

8 Jan. 8th January, 1802.
 The harvest. NOTWITHSTANDING the plentiful harvest that has just been got in, yet the Governor feels it his duty to caution the settlers and other inhabitants against an improvident use of wheat, which no doubt will be very scarce before the next harvest.

The ordinance of the 8th of May last respecting the quality of the bread remains in full force, as well to save grain as to prevent the poorer part of the colony being imposed on by the bakers.

Samuel Foster having been convicted this day of selling bread short of weight, his oven is ordered to be taken down, and all the bread he has baked forfeited to the Crown.

PHILIP GIDLEY KING.

EX-GOVERNOR HUNTER TO UNDER-SECRETARY KING.

No. 17 Nottingham-place,
 8th January, 1802.
 Sir, Having been informed by Capt. Schank that you was desirous of knowing in what manner the military force in New South Wales was disposed of, in order that a judgment might be formed what force was really necessary in that country, I have therefore sent you, on the other side, a sketch from memory of the Commanding Officers' monthly return to me on the spot.

I am, &c.,

JNO. HUNTER.

[Enclosure.]

1802

DISTRIBUTION OF THE NEW SOUTH WALES CORPS.

8 Jan.

At Norfolk Island the service there requires one company complete, with a sufficient number of officers to hold a Court of Criminal Judicature. Norfolk Island.

At Parramatta there is one company, with their proper officers. They have sentinals at Government House, at the provision and other store-houses, granarys, &c., and from this party it is sometimes necessary to make small detachments for the protection of settlers whose property, and sometimes lives, are in danger from the depredations of the natives. Parramatta.

At Toongabbe, in my time, it was often necessary to have a serjeant's party of twelve men for the security of the grain belonging to Government stacked there. Toongabbie.

At the Hawkesbury River a subaltern officer with about thirty men were found necessary for the protection of the settlers and their grain, as well as the public stores kept there. Hawkesbury.

At Sydney the remaining force was stationed, and the following guards were regularly mounted. Sydney.

				Rank and File.
Governor's Guard	...	...	...	20 men
Commanding Officer's...	...	...	...	20 "
Barrack Guard	...	...	...	12 "
Magazine Guard	...	...	...	7 "
Constantly on duty at Sydney...				59 "

Exclusive of this number for constant duty, and the necessary number of sentinals mounted required it, it often happened that several strange ships at a time were in port, and each required a guard of six men to prevent the landing anything which without a permit was prohibited. Guards.

It was also a custom with me, whenever I sent a boat or small vessel to the Hawkesbury from Sydney with stores or provisions, to send a serjt or corporal's party for its security.

J.H.

GOVERNMENT AND GENERAL ORDER.

12th January, 1802.

12 Jan.

THE unwarrantable behaviour of the prisoners sent to the Government harvest at Hawkesbury and Toongabbee, who are dispersed about in consequence of their having been allowed to take their time, has been such as to render the following Orders necessary, viz :— Convicts dispersing after harvest.

1st. That all persons of the above description who have been allowed to go off the store within the last fortnight, or who now

- 1803 are, or ought to be, at Government labour, shall give themselves up to the magistrate of the district where they were at work before the harvest by Saturday next, otherwise each person not giving himself up shall receive 200 lashes and work in the gaol gang 12 months.
- 12 Jan. —
To return to work.
- Convicts and the store. 2nd. That no application is to be made by any prisoner to go off the store who has arrived in the colony since the Hillborough.
- 3rd. That no prisoner will be allowed to go off the store (on his own hands) who does not find sufficient security for his good behaviour.
- Assigned servants. 4th. Any person applying for prisoners off the store who does not employ them on their own grounds, suffers them to be on their own hands, or hires them out, will, on conviction before two magistrates, forfeit £10 to the Orphan School, besides 2s. 6d. for every day such prisoner has been from Government labour.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

- 13 Jan. 13th January, 1802.
- Ensign Bayley Court-Martialled. ENSIGN Nicholas Bayley, of the New South Wales Corps, having been found guilty, by the sentence of a General Court-Martial, of a breach of part of the 5th Article of the 2nd Section of the Articles of War, and adjudged to be reprimanded by the Commander-in-Chief of the territory, which sentence the Governor-in-Chief approves, and dissolves the Court. Painful as the task is of conveying a reprimand, yet the Governor cannot, without a great neglect of duty, omit observing that when officers treat their superior's orders with negligence and actual disobedience, the worst of consequences must inevitably ensue to the discipline and good order of His Majesty's service, if not prevented by the regulations made for that purpose in the Articles of War.
- Reprimanded for disobedience
- in the presence of the Corps. Lieutenant-Colonel Paterson will order the above reprimand to be read to Ensign Bayley, in the presence of the officers of the Corps; he will also order such officers of the Corps as may be at headquarters to-morrow to attend and hear the papers alluded to in the Governor's letter to him of the 1st instant read to Ensign Bayley, which that officer ought to have attended to on the 3rd instant, when the officers, civil and military, were convened for that purpose, but which, by refusing to comply with, has very deservedly drawn upon him the censure conveyed by the sentence of the General Court-Martial.

PHILIP GIDLEY KING.

THE RIGHT HONOURABLE C. F. GREVILLE* TO ROBERT BROWN.† 1803

Dear Sir, Paddington Green, 14th January, 1802. 14 Jan.

I am unwilling to let the Buffalo sail without recalling myself to your recollection, and it is now the last day for sending letters. I wished to have made up for deficiency of interesting facts in natural history by circumstances of local interest to the country you explore, and to its colony, but the confinement of S. Jos. B. to his bed for this month past has prevented him from setting the new department of State, to which the colonies are since Mr. Addington's administration allotted, to work, and by the next ships I will write to you more at length. You perhaps know that previous to Mr. Addington's administration, N. S. Wales was in the Home Department, of which the D. of Portland was Secretary. The Duke's successor, L'd Pelham, as Secretary of State, has the part only which relates to transporting convicts; the interior regulations, &c., is transfer'd to the Sec'y of State, L'd Hobart, who succeeded Mr. Dundas. Of course, the correspondence, &c., will be with L'd Hobart, and any parcels sealed or addressed to me will reach me safe, directed under cover of J. Sullivan, Esq're, Under-Secretary of State, as they used to do, and still do, arrive under cover of Jno. King. I have told Barrallier, of the S. W. Corps, to ask you what sorts of seed to send to me from the old settlement. They have discontinued sending cones of the variety of *Banksia*, of which the [words illegible] are the present favorites; but, as you will observe, there are many fine species of these as well as other genera, which are not in our gardens, and it is the time for the old colonists to oblige their friends without offence from the old district, when the attention of all is fixed on the new country you visit.

The Buffalo's departure.

Sir Joseph Banks.

Re-adjustment of portfolios.

Australian fauna.

The cession of the Cape to the Dutch will stop our researches in some degree in Africa, and I believe the R. gardens find that individuals do so much more than a K.'s gardener on a limited allowance, that they will wait arrivals from the new discoveries in N. Holl'd, and some supply from visiting, by favor of Spanish Gov't and Portugese, S. America, if not; also from a sweep among the gardens at Canton, where Heton, gardiner to Embassy, had sorted out a fine collection, which the chiefs of the Embassy did not think worthy the trouble and charge of purchasing and bringing.

The Cape of Good Hope.

I have added a third house to those you saw for Japan, China, A hot-house. and B. Bay plants. My herbaceous ground is at the N. side of

* In dedicating the noble Australian genus *Grevillea* to this gentleman, Robert Brown says: "I have dedicated it to the Right Honorable Charles Francis Greville, one of the Vice-Presidents of the Royal Society, a gentleman eminently distinguished for his acquirements in natural history, and to whom the botanists of this country are indebted for the introduction and successful cultivation of many rare and interesting plants."

† The botanist who accompanied Flinders in the Investigator. He was perhaps the most eminent botanist who ever visited these shores. His works are still highly prized by botanical students, by whom his memory is held in great honour.

- 1802
14 Jan. my house—small but very well situated—and was part of my landlord's garden. Dickson intends to show you on your return that ferns, &c., are not despised.
- The French
in New
Holland. I hope the French ships of discovery will not station themselves on the N.W. of N. Holland, which, from the circumstance of tides giving them great advantages of deep water for docks, &c., lies too w . . * for our China trade. The peace giving up all the Dutch colonies but Ceylon, makes me regret the expences of taking forts and islands, which, employed in anticipating the French schemes or rendering them abortive, would have suited my opinions far better.
- No news of
the Investi-
gator. We all wait anxiously to hear of you and your party. I hope the different branches of science drew together mildly, as the instructions are drawn to stimulate the individual exertions. You will not forget that you are the chief, whose suggestions are to have the selection of objects, and the connecting the united efforts to particular subjects of importance when they occur. The circumstances connected with navigation, and the great object of nautical and geographical discovery must often counteract the possibility of complete investigation of natural rarities the first visit, but the second season to explore will naturally be regulated in great measure by your opinion. I only write to you by this occasion; and therefore desire you to remember me to Capt. Flinders and Bauer. I hope the Bells† are doing their best, according to their ability, to qualify themselves for the sea service. From the circumstance of a general peace, it is very fortunate, indeed, for them to have so complete opportunity to learn, and by continuing to merit a good report of Capt. Flinders, to attain a commission during the peace.
- Geographi-
cal research.
- Miscel-
laneous.
- Believe me, &c.,

C. F. GREVILLE

MR. A. GRAHAM‡ TO UNDER SECRETARY KING.

- 17 Jan. Sir, Portsmouth, 17th January, 1802.
- Convicts for
Botany Bay. Fifty-eight convicts (all that were fit of the sixty-three mentioned in your list to Sir J. Fitzpatrick) embarked from the Laurel for Botany Bay yesterday morning in excellent order and condition, and the hundred and fifteen from La Fortunée I shall urge Sir J. Fitzpatrick to send off as soon as possible, but I doubt his getting them ready before Tuesday or Wednesday next. One hundred and fifty of the most healthy, who are to remain in England, were removed from her this day on board the Lion in Portsmouth Harbour, where I shall order them to be continued separate from the Laurel's people for at least a week or two days to come; and when the Botany Bay men are embarked, La
- Precaution
against
infection.

* Original illegible.

† On the Investigator were two midshipmen named Thomas Bell and Nathaniel Bell;‡ may be presumed that Mr. Greville here refers to them.

‡ Mr. Graham was the Inspector of Convicts at Portsmouth.

Fortunée's complement will be so much reduced (under 270) that I shall hope, by means of the Ceres for an hospital ship, and providing the sick with proper provisions and necessaries (of which they have been so shamefully deprived by the contractor's agent, that if it were not for fear of creating an alarm, which perhaps, had better be avoided, I would not hesitate to indict him), the disorder at present so prevailing and fatal at Langston may be got the better of. Five have died since my last letter, and there are upwards of seventy still more or less indisposed, thirty of which may be considered in rather a dangerous state. Their recovery would be greatly assisted if you would write to the Sick and Hurt Board, and request that the Governor of Hazlar Hospital might be directed to furnish such a number of pairs of sheets as shall be required by me, which may be washed and returned when no longer wanted at Langston.

1802

17 Jan.

Sick and dying convicts.

I have been obliged to talk very seriously to Sir J. Fitzpatrick, in consequence of his haranguing people at taverns upon the state of the convicts, whose friend he styles himself. I told him if he had any complaints to make, he should do it in writing to you; that he might take his own method (having regard to the new contract) to cure those who are already ill, and to prevent by fumigation or otherwise an increase of the disorder on board La Fortunée, and I would answer for all the extra expence attending it; but that if I heard any more reports of his public conversations upon the subject (which cannot fail to have a mischievous tendency), I should feel it my duty to represent the matter in a formal manner to Lord Pelham.

A tavern orator.

I have, &c.,

A. GRAHAM.

GOVERNMENT AND GENERAL ORDER.

23rd January, 1802.

23 Jan.

RECENT circumstances require that the Governor should recal the attention of every description of His Majesty's subjects entrusted to his charge to the following General Orders, viz. :—

1. Dec. 26th, 1800.*—Strictly forbidding all officers and every person, bond or free, from beating or horse-whipping any prisoner in this colony, particularly those whose labour has been assigned them, or allowed them as servants, and pointing out the mode of bringing such delinquents to justice, &c.

Beating assigned convicts.

2. June 1st, 1801.†—Requiring every person who cannot support and employ the prisoners they have taken off the stores to return them to Government labour.

Supporting convict servants.

3. Jan. 12th, 1802.‡—Specifying that every person applying for prisoners off the stores, who do not employ them on their own grounds, subject themselves to such fine and expences as are pointed out by that Order; besides which, if a military offender, being subject to a General Court-Martial, for a disobedience of

Disobedience of orders.

* Ante, p. 274.

† Ante, p. 379.

‡ Ante, p. 675.

1802 Orders. It is not only to the above Orders, but to every existing
 23 Jan. General Order, that the Governor exacts and demands the most implicit obedience ; and should any one presume to treat any of those Orders with neglect or disobedience, he will not fail to consider it a duty he owes to the high trust reposed in him to prosecute all offenders.

PHILIP GIDLEY KING.

LIEUTENANT KENT TO SECRETARY NEPEAN.*

25 Jan. Sir, Buffalo, Spithead, 25th January, 1802.
 Officers ordered to embark for Sydney. Understanding officers who have been ordered a passage in some of the transports going to New South Wales are dissatisfied with their accommodation, in consequence of which they have apply'd to His Royal Highness the Duke of York to solicit a passage here, I therefore consider it my duty (for the information of my Lords Commissioners of the Admiralty) to inform you the present state of the ship. In order to do the utmost for the distant settlement of New South Wales I have had the hold of the ship filled up to the hatchway with a vast quantity of provisions and other stores belonging to Government for that place, the consequence of which has been the whole of the provisions and water for the crew is rafted about the decks. The betwixt decks is filled with casks on end from one end of the ship to the other, and on the upper are secured a hundred hogshheads of water. You will, therefore, sir, see the impossibility, in our present lumber'd state, of building more cabins in the ship than belong to the officers. To accommodate Major Johnston, order'd a passage some time ago by their Lordships, I have been obliged to move the clerk with the ship's books and papers out of his proper cabin.

No room on the Buffalo.

I have, &c.,

WM. KENT.

GOVERNMENT AND GENERAL ORDER.

The ration of salt meat. THERE being only 13 weeks full ration of salt meat in the store, the following reduction will take place on Saturday next until further orders, viz :—2 lb. 10 oz. of pork, or 5 lb. of beef, women and children in proportion.

PHILIP GIDLEY KING.

LORD HOBART TO THE LORDS COMMISSIONERS OF THE TREASURY.

28 Jan. My Lords, Downing-street, 28th January, 1802.
 Freesettlers. It has been represented to me, by some persons who are now about to proceed to New South Wales as settlers, that the ration of provisions allotted for their wives and children (being

* On the 23rd January, 1802, Captain Kemp, of the N.S.W. Corps, wrote to the Horse Guards asking to be allowed to remove from the Coromandel to H.M.S. Buffalo. Apparently Lieut. Kent had heard of this and hastened to prevent Nepean from acceding to the request.

half a ration for the women and one-quarter for the children) is not adequate to their support. This statement certainly seems entitled to immediate consideration, and altho' the allowance of half a ration may be sufficient for the women, the proportion afforded to the children is obviously inadequate to their wants. I therefore think it right to recommend that your Lordships should give directions for the ration allowed to persons of this description to be issued in the proportion of two-thirds of a ration to each of the men, one-half ration to each of the women, and the same to each of the children.*

1802

28 Jan.

Their allowance of food.

I am, &c.,

HOBART.

UNDER-SECRETARY SULLIVAN TO GOVERNOR KING.

Sir, Downing-street, 30th January, 1802.

30 Jan.

I am directed by Lord Hobart to transmit the enclosed list of persons who have obtained permission to proceed to New South Wales by the ships now under dispatch. I am to request that upon their arrival in the settlement the usual rations of provisions may be issued to them, as well as such grants of land made to them as have been heretofore allowed to persons of a similar description.

Settlers' rations and land grants.

Most of these persons are mechanics or have some knowledge of agriculture, and have produced very favourable testimonies of their character. I trust, therefore, they will not only contribute to the prosperity of the settlement under your government, but to merit your favourable protection.

Mechanics and farmers.

The total number of these persons, including women and children, amounts to forty-eight.†

I have, &c.,

JOHN SULLIVAN.

SIR J. FITZPATRICK TO LORD HOBART.

My Lord, Portsmouth, 30th January, 1802.

The important and dignified office to which your Lordship has been appointed in respect to the colonies proves the consideration and wisdom of His Majesty and his advisers, and is not less gratifying to me than it must be to all under your control and influence in those regions; and, amongst other benefits, I feel that comforts to the convicts on their voyage, equally with their health, vigor, merited rewards, and happiness after their arrival, will be your chief concern, conjoining therewith in a most particular sense the greater prosperity and better security of New South Wales to

A dignified office.

The treatment of convicts.

* This letter was the outcome of a complaint lodged by one of the free settlers about to embark for New South Wales, in which he asserted that his children could not live on one-quarter allowance for two months; in fact, he alleged that they generally ate more than he did, "as they come from the country, and was always used to eat hearty."

† They included one farmer, one whitesmith, two tailors, three carpenters, two tool-makers, one husbandman, one bricklayer, and one schoolmaster.

1802

30 Jan.

His Majesty's Government, which must be established in proportion to the interest which the convicts and their descendants will have, by sharing happiness and profits existing from their obedience and labors.

The reformation of convicts.

There are none who feel a gladness of soul in blowing the bellows to rivet their own chains, nor even in contributing to the wealth or prosperity of others, not partaking of those advantages themselves; but were they to know that on a certain day they and their posterity should, by a temporary obedience, profit to a certain degree, that would best secure it by establishing the belief of a reciprocity of advantages between governors and governed.

Family ties.

Should the foregoing principle be admitted by your Lordship, gifted with uxorious and parental fondness, you naturally will plead my prayer, as it will establish the wished for obedience; it will add to the security of the colony by making it every man's interest to establish a progeny; it will support to a great degree the principle of religion and morality, equally in the wife or husband left behind in this country or Ireland, by prevention of bigamy, in the prospect they will have of meeting again not to part thro' the good conduct of the first banished culprit; by the restoration of the partner and orphans to those to whom they are most dear; by releasing this already burdened country from the expence of the deserted and despised innocent sufferers; but above all, in a political sense, from the growing consequence of that extraordinary colony (there being none who please that do not acquire property there), by establishing in their own families the best of all security to the State for an unshaken loyalty—a something to lose.

Rewards for good conduct.

My prayer is that your Lordship will authorise me to say, on the sailing of the *Coromandel* and *Perseus* (which will take place after a few days) from hence for New South Wales, that it is the intention of the Government to order that the conduct of all and every convict in future during the voyage shall faithfully, from the ship's log-book, be laid before the Governor of New South Wales on their arrival, and that provided the same is praiseworthy, and that they continue so to act for two years afterwards, he (His Excellency the Governor) shall be enjoined to represent the same to His Majesty's Government, or to the proper officer here, in order for such meritorious conduct to reward the said convict, by sending to him, at the public expence, his wife and children, or husband and children (as the case may be), there to be entitled to all privileges as settlers.

Political agitators.

I should object to their going in the first instance, as it might be considered holding out a premium to transgression, and render them indifferent to their banishment.

I have now with great deference to mention to your Lordship that I fear much danger will arise from sending certain political

characters from Ireland, or persons of such description from any other part of the Empire, to that colony. Men dissatisfied with His Majesty's Government, favourers of his enemies, ever planning and plotting the revolutionary system, numbers of which are there at present, and on every succeeding war with very trifling aid (at such a distance and in so extended a world), with mischievous partizans, would be capable of rendering that colony not only of little profit, but of infinite mischief.

I have, &c.,

J. FITZPATRICK.

As your Lordship's concern for the Irish convicts and settlers appears to me equal to that which relates to this country, and as no sort of system for supply of conveniency or regulations is made either on their embarking thence, or on the voyage from that country, I entreat the honor of an interview with your Lordship.

1802

30 Jan.

Fitzpatrick asks for an interview.

By the instructions which I pointed out for the surgeons and masters of those ships, at the request of Lord Pelham (which I take the liberty to enclose), your Lordship will discover the many conveniences procured here; but in Ireland I cannot find that they are made, or any person to point them out or forward them; and your Lordship's knowledge of mankind will induce you to doubt their acception without zeal, probity, and understanding, even supposing them directed.

Treatment of Irish convicts.

LORD HOBART TO GOVERNOR KING.

Sir,

Downing-street, 30th January, 1802.

I have the satisfaction to acquaint you that the King has been pleased to signify his commands that a Commission should be prepared for His Royal signature appointing you his Governor and Commander-in-Chief of the settlement of New South Wales in the room of the late Governor Hunter, and I hope this Commission, together with His Majesty's General Instructions for the guidance of your conduct in this important trust, will be ready to be forwarded by an early opportunity.*

King's Commission and Instructions.

I am not aware that anything of material importance regarding the settlement under your charge remained for consideration previous to the receipt of your despatches of the 10th of March, which reached England on the 31st ultimo, excepting the case of the persons mentioned in the enclosed list respecting whom no decisive instructions appear to have been given to you.†

His despatches.

I have perused with great attention the reports transmitted by Governor Hunter of the trials of these persons, and on a full

* The Commission will be found on p. 697, post; the Instructions on p. 703, post.

† These were the men charged with the murder of two native boys at the Hawkesbury—ante, pp. 1-7; they were pardoned—ante, pp. 639, 640.

1802	consideration of the circumstances attending those trials, and of the difference of opinion which prevailed amongst the members who composed the Court, as well as of the length of time that has elapsed since their several sentences were passed upon them, I have ventured to recommend them as proper objects of His Majesty's mercy, and I have in consequence received His Majesty's commands to direct you to grant pardons to each of those persons respectively for the offences of which they were convicted before the Court to which I allude, annexing to those pardons such conditions as you shall think most adequate to the due attainment of the ends of justice.
30 Jan.	
Conditional pardons.	
Treatment of the natives ;	Before I dismiss this subject, I cannot help lamenting that the wise and humane instructions of my predecessors, relative to the necessity of cultivating the good-will of the natives, do not appear to have been observed in earlier periods of the establishment of the colony with an attention corresponding to the importance of the object. The evils resulting from this neglect seem to be now sensibly experienced, and the difficulty of restoring confidence with the natives, alarmed and exasperated by the unjustifiable injuries they have too often experienced, will require all the attention which your active vigilance and humanity can bestow upon a subject so important in itself, and so essential to the prosperity of the settlement, and I should hope that you may be able to convince those under your Government that it will be only by observing uniformly a great degree of forbearance and plain, honest dealing with the natives, that they can hope to relieve themselves from their present dangerous embarrassment.
restoring their confidence.	It should at the same time be clearly understood that on future occasions, any instance of injustice or wanton cruelty towards the natives will be punished with the utmost severity of the law.
	I have now to acquaint you that I have had the honor to lay before the King your letters of the 10th of March,* and I shall proceed to remark upon such points of them as require observation.
Mortality on the Royal Admiral.	I am concerned to observe the mortality that prevailed on board the Royal Admiral. It is, however, a satisfaction that no blame can attach on this account to the master of the vessel, who appears, by your report to the Transport Board, to have discharged his duty to the public and to the individuals under his care.†
Health of convicts on the voyage to the colony.	It is not possible to guard upon all occasions against a similar misfortune, but it will be as much my inclination as it is my duty to take care that everything that can be effected by precaution and preventive measures shall be attempted to ensure the health of every individual. For this purpose I have required a return from the Medical Inspector‡ of the state of the convicts and settlers

* Ante, pp. 311 to 334.

† It will be seen from King's letter under reply that the mortality was due to fever, apparently contracted before the vessels sailed.

‡ Sir J. Fitzpatrick.

in each of the respective ships now about to proceed to New South Wales, made up to the latest period previous to their departure, and I enclose copies thereof for your information.*

1802
30 Jan.

These documents will serve very materially to guide your judgment in instituting any enquiry into the conduct of the persons having the charge of the ship and of the convicts, in the event of any similar misfortune recurring, and I most earnestly desire that you will on no account fail to make the most strict enquiry into the observance of the terms of the several contracts entered into, with a view to insure, not only the safe delivery of the convicts, but their proper treatment during the voyage, and that you do on every occasion most strictly enforce the penalties that may be incurred.

It is His Majesty's pleasure that you conform to the instructions given by the Lords Commissioners of the Treasury to the Commissary, relative to the drawing bills for the payment of such provisions and stores as it may be necessary to purchase on the public account; and that you do afford every assistance in your power to the Commissary, to enable him to carry his said instructions into effect in the manner most advantageous to the public interests.†

Treasury
bills.

The instructions‡ with which you have furnished Lieutenant Grant for the further prosecution of the interesting voyage on which he has been instructed to proceed appear to have been framed with the most accurate attention to the directions you received from the Duke of Portland, and the ready and effectual assistance you afforded in refitting the Lady Nelson met his approbation. This vessel is to be continued on the establishment of the Navy, under your direction.

Lieutenant
Grant and
the Lady
Nelson.

I shall certainly advise the payment of the bills drawn upon the Treasury by the Commissary, for the payment of the allowance of £60 to each of the Frenchmen sent out in the Royal Admiral, for the purpose of cultivating the vine; and I hope the mode you have pursued in clearing and planting a vineyard in a regular manner at Parramatta, will answer the expectations entertained of its success. It is quite unnecessary here to expatiate upon the advantages that would result to the inhabitants of the colony if the vine could be brought into such a state of general cultivation as to supply even an ordinary wine.

French
vignerons.

Your application|| to the Governor of Bengal, with a view to prevent the practice prevailing amongst the convicts of escaping to India, and the proclamation issued by the Governor-General, together with the notice you have given in the colony thereupon, appear well calculated to prevent future attempts of this nature.

Escapes.

* These returns are not available.

† It would appear from this paragraph that the Commissary was to draw the bills, and not the Governor, as he (King) suggested. See his letter to the Duke of Portland, 10th March, 1801, ante, p. 316, and the instructions to the Commissary, vol. iii, p. 500.

‡ Ante, p. 306.

§ Ante, p. 317.

|| Ante, p. 287.

- 1802**
30 Jan.
Importation
of spirits.
- I very much approve the steps you have taken to lessen the evils arising from the enormous quantities [of spirits] imported into the colony, and you may depend upon my firm support in every legal and justifiable exertion you may continue to make in furtherance of this very essential object. The dismissal of the American vessel will operate more powerfully than any measure to prevent the resort of others so laden, and the most strict instructions will be given to all masters of vessels from this country and from Ireland, in conformity to your suggestions, which I have not failed to communicate to Commissioners of Transports.*
- Retrenchment.**
- The measures you have so judiciously taken to reduce the public expenses, by striking off a considerable number of persons from the list of those who receive rations from the public stores,† cannot fail to operate in many ways to the advantage of the colony. It will lessen the consumption of the public stock, and, by stimulating individual industry, will promote the collective produce of private property.
- Suppression of the rebellion.**
- Your observations‡ upon the conduct of the Irish convicts, and the precautions you have taken for counteracting their machinations and violence, seem extremely proper and well calculated to discourage and render ineffectual any attempts they may make to carry their wild schemes into effect. The most vigilant circumspection and unabated firmness on your part will undoubtedly be requisite, and I strongly recommend to you to continue by every means in your power to encourage the armed associations in which it is the indispensable duty, and obviously the best security, of every respectable inhabitant to enroll himself.
- Floods on the Hawkesbury.**
- The dreadful and frequent devastations§ occasioned by the inundations of the Hawkesbury must have materially impeded the exertions of the settlers of that district, particularly in the cultivation of bread corn; and the dread of similar losses recurring cannot fail to deter many of them from again subjecting their seed to the same danger. It has occurred to me that the very causes which have contributed to produce this effect might be brought to operate in favour of the cultivation of an article of food that would not be much less advantageous to the public or the individuals than that of bread corn. It is perfectly well known that rice will only succeed in ground that is occasionally inundated; and as the plant rises in proportion as the water rises, without suffering material injury, it would seem to be better adapted for the banks of the Hawkesbury than any other corn. By removing the buildings to the higher grounds, and selecting for cultivation such parts as appear to be least exposed to the rapid of the waters, I should apprehend that a very beneficial
- Rice culture proposed.**

* See Governor King's account of his action in this matter, ante, pp. 317, 319; see also the reply of the Transport Board, 4th February, 1802, post, p. 683.

† Ante, p. 318.

‡ Ante, p. 319.

§ Ante, p. 320.

change might be effected in that district. But without more accurate knowledge than I at present possess of the particular nature and properties of the soil, I can only offer the above suggestion for your consideration.

1802

30 Jan.

Your report* of the state of the cattle in the settlement is, on the whole, satisfactory, and the regulations you have made for the better care of them cannot fail to produce the best effect.

The live stock.

I trust the attempts to procure some of the wild cattle will succeed. This object ought to meet with every encouragement on your part, and, if carried on with intelligence and perseverance, I have very little doubt that at least many of the young will be secured. The quantity of salted pork sent out by the last and present opportunities, will show the attention that has been paid to the keeping up a supply of animal food for the consumption of the settlement, and will, I trust, with the annual supply which you will regularly receive, obviate all danger of your being obliged to have recourse to the live stock until the increase of it shall enable you to do so upon system.

Animal food.

The contract you have entered into with Mr. Campbell appears very advantageous, and as such meets my perfect approbation.†

The supplies of cloathing sent by this opportunity, as particularized in a separate letter, will, I trust, be found adequate to your demands. The articles of which they consist were provided for a different service, at prices affixed to them in the invoice; but they seem exceedingly well calculated for the use of the different descriptions of persons in the settlement, and it will be expedient that they should be sold on account of Government. The charge of 30 per cent., which has hitherto been added to the prime cost of articles sent from hence, in order to cover the freight and risk attending so long and dangerous a voyage, appears to me very inadequate to that purpose.

Clothing.

Observing from your dispatches the enormous interest charged on all articles introduced by the speculation of individuals for sale in New South Wales, I have been induced to recur for information to the opinions of experienced merchants in this country, to enable myself to form a well-grounded opinion of the advance that ought to be made upon articles in this manner provided by Government, with the double object of checking as much as possible the inordinate charges so justly complained of, and also of fairly covering all charges incidental to the mode of supplying the articles in question, together with a reasonable profit to be applied as hereafter explained. The result of the investigation of this subject justifies me in directing you to impose an addition of 50 per cent. to the prime cost of the articles now sent.

Government sales—the margin of profit.

* Ante, p. 321.

† See the Governor's contract with Mr. Robert Campbell for the importation of cattle from India, ante, p. 312.

1802
30 Jan.
Account
sales.

It will be necessary that a particular account of the several articles should be kept, and that authenticated copies of it should be regularly transmitted to me. The amount of the prime cost of the articles, as stated in the invoices, together with the freight and other charges, is to be carried to the credit of Government in your accounts with the Treasury, but the profit upon the sales which may remain after the above deduction is to be applied in such manner as you shall be occasionally instructed by me to observe.

The Orphan-
age.

If the institution for the care and maintenance of the orphan children, which I hope will continue to meet with your attentive care, and which will not fail to receive every proper protection and support in my power to afford, should it stand in need of any immediate assistance which this fund may be capable of supplying, it cannot be directed to a more interesting object; and you will therefore consider yourself at liberty to appropriate to it either a part or the whole of its produce, as you shall deem expedient, in the present year. With these sentiments I cannot but approve of the appropriations you have already made for the support of this establishment, the amount of which you will regularly specify in your correspondence with me.

The
chaplain.

It is probable that Mr. Johnson will not return to New South Wales.* I shall, in that event, endeavour to supply the vacancy as soon as possible, and at the same time to provide a clergyman of respectable character to proceed to Norfolk Island.

Major
Foveaux.

The conduct of Major Foveaux in Norfolk Island fully justifies the appointment of that officer to the station of Lieutenant-Governor, and I desire you will take the earliest opportunity of communicating to him my perfect approbation of his promptitude and vigour in suppressing the dangerous insurrection on the point of breaking out there, and that you will exhort him to persevere in the same firm and vigilant course.†

Mutiny on
the Anne.

The result of the inquiry instituted into the conduct of the officers of the Anne, transport, clearly justifies the extremities to which they were compelled to resort for the suppression of the mutiny on board that ship.‡

The Judge-
Advocate.

I have the satisfaction to acquaint you that His Majesty has been pleased to confirm your appointment of Mr. Atkins to the office of Judge-Advocate to the settlement in the room of Mr. Dore, and I trust he will be found to merit the recommendations I have received in his favour.

A copy of your military letter§ has been referred to His Royal Highness the Commander-in-Chief for his information.

* Ante, p. 325.

† Ib.

‡ Ib.

§ The military letter referred to was that of 10th March, 1801—ante, p. 330.

As the articles purchased from the American ship *Diana* appear by your separate letter B* to have been much wanted in the settlement, I shall not fail to recommend the payment of the Commissary's bills for the amount of the purchase as well as for that of the stores procured from the master of the Royal Admiral; but I hope the measures now taken to ensure a regular supply of every article judged necessary or useful in the settlement will relieve you from the necessity of recurring to the accidental means afforded by ships touching at the settlement, particularly those of foreign nations.

1802
30 Jan.
American
goods.

I have reserved for a separate letter the important subject of supplies, and have now only to express the great satisfaction I have derived from your statement of the steps taken by you for reducing the expence of the colony, in which I have no doubt you will persevere with a scrupulous attention.

HOBART.

GEORGE BASS TO CAPTAIN WATERHOUSE.†

Venus, in Matavai Bay, Otaheite,

My much esteemed friend, 30th January, 1802.

I never let pass an opportunity to write and inform you of the progress, crooked it must be confessed, of our commercial perigrinations. In Oct. I informed you at Port Jackson of all our transactions up to that period, and likewise laid before you the . . . ‡ of our plan of this voyage for pork, which we are now employed in performing; and as far as things have hitherto gone our prospects are fully equal to our expectations.

A commercial
speculation.

Nov. 21 we left Port Jackson; in 14 days reached Dusky Bay in New Zealand, whither we went for the purpose of cutting timber for planks to make into pork chests, since Gov'r King was unable to find casks enough to complete our hold. In 14 days more we had cut our timber, and had picked up from on board a large ship§ that has been left deserted there for some years, some few trifles of ship's stores and unwrought iron which will turn to some account at our forge here. Sailing from Dusky Bay we steered for Otaheite, and arrived here on the 24th instant.

The Venus
in Dusky
Bay.

Gov'r King has here at this time a small Colonial brig|| for the purpose of curing pork, but we find the island yet so abundant in hogs we have determined to set up an establishment here which

Hogs at
Otaheite.

* Ante, p. 312.

† This letter, although but indirectly bearing upon the history of New South Wales, is interesting as being amongst the few surviving records of one of the most interpid of navigators.

‡ Word illegible.

§ The Endeavour, Captain Bampton, wrecked off the New Zealand coast in September, 1790, and beached at Facile Harbour, Dusky Bay. Vol. iii, pp. 8, 312 (note), and 344.

|| This was the Norfolk, previously known as the Harbinger.

- 1802
30 Jan.
- Salting
pork.
- The chief of
Otaheite.
- The Prince
of Wales.
- Quid pro
quo.*
- Super-
abundance
of food.
- Messages of
affection.
- will aim at curing about two-fifths of our whole cargo, for which we have salt enough with us. Bishop* stays here with the party; I go on with the brig to the Sandwich Islands, and there endeavour to fill all the rest of the casks; so that we hope to complete the cargo in much less time by working at one part of it on Otaheite, and the other at the Sandwich Islands, than if we kept ourselves together at either of those places. It is not for the hogs alone we find it necessary to go to the latter place; it is for salt, which the former produces not, and which we must have.
- The Chief of the Island is our good friend, and will remain so as long as we shall want a friend here, because he knows we have much property of well assorted Indian trade, which Gov'r King's stores will not afford until fresh supplies duly selected shall arrive from England. We have been enabled to make him a very magnificent Indian present, which has won his avaricious disposition over to us; and I have engaged to bring him from Owhyhee some valuable things from his brother, Chief Tameha Meha, the king of that island, so that he has much yet to gain by his attention to our establishment. This is Pomarre, who you may have read of in Cook's voyage, the father of the present Otoo, or minor king, who is, by the way, the most drunken profligate you ever knew, and calls himself forsooth the Prince of Wales, as if our princes got drunk like beasts, &c., &c. He may indeed be a caricature of our Prince!
- Pomarre has given us one of his own houses on Pt. Venus, which was removed to the spot we fixed upon as most convenient for our work. We have in short everything we ask for that he can give. He is a great and troublesome beggar to us, and we spare him not on our side. Whatever we give to each other is not a loss to either, for we square the value in the returning present. Our great present for example costs us about 6 guineas in England, but when he comes to square it in return, he will give 50, 60, or 80 large hogs; so that it is in reality more like buying and selling than making presents to each other.
- We cannot help comparing the starving condition of England with the superabundance of food in this island. Our house is built among cocoanut trees and bread-fruit trees, and of the latter article—within a stone's throw—more than w'd supply 500 men for a month. The profusion at this, the bread-fruit season, is amazing, and the natives are idle in proportion. But I shall say nothing of Otaheite now that so much has already been said. The missionaries (poor creatures), our countrymen, are very civil and friendly in their little way.
- Mrs. Waterhouse will please accept my kind love, as well as all my sisters and brothers. My wife Bess I write to, as also to my friend Capt. W. I would joke Bess upon the attractive charms

* Bishop was Bess's partner.

of Otaheitian females, but that they have been so much belied in their beauty, that she m't think me attracted in good earnest. However, she has nought to fear here. 1802
30 Jan.

Adieu my dear friend, adieu.

GEORGE BASS.

GOVERNMENT AND GENERAL ORDER.

2nd February, 1802. 2 Feb.

THE working bell will ring to leave off at 2 o'clock, while the present short ration of salt meat continues.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER SECRETARY KING.

Sydney, New South Wales,

2nd February, 1802.

Sir,

I have the honor to acquaint you of the arrival of the ^{Arrival of transports.} Canada, Minorca, and Nile, with the persons and provisions stated in the enclosed account.* The passengers were all in good health, and the convicts the healthiest and best conditioned that ever arrived here, being all fit for immediate labour.

We have just got in a very good harvest for the quantity of ^{The food supplies.} ground sowed with wheat, which has enabled me to issue a full ration of grain, having eat our very last before the harvest began. I am not without my apprehensions that we shall have a scarcity of grain this year, from the additional numbers arrived and those expected, but every care shall be taken to avoid it. The accounts of the crops from Norfolk Island are equally favourable.

Our stock of salt provisions (which was so seasonably increased ^{Salt provisions.} by the supply obtained from Otaheite), including the nine months received with those who came by the late ships, is so much reduced that we have no more than twelve weeks remaining at a full ration. I have reduced that ration to two-thirds, which I hope will secure the stock until the supplies arrive, which I am informed may soon be expected.

As those ships sail so soon I shall defer answering in detail His Grace's letters, &c., received by them, until a more direct conveyance offers, which will be in a short time by a whaler.

In consequence of the great reduction in the ration of salt meat and grain, I have considered it necessary to extend the ration of six ounces of sugar a week to the convicts of Government labour, ^{Sugar.} which I have been enabled to do at the cheap rate of 6½d. per lb., from the masters of the Canada and Minorca, for the payment of which, amounting to £707 ls. 10d., as well as for £126 4s. 6d., payment for 314 bushels of wheat purchased from settlers, in the quarter between September and December last, have been made by bills drawn by the Commissary on His Majesty's Treasury, in favor ^{Commissary's bills.}

* The convicts landed from these vessels were as follows :—Canada, 101 males ; Minorca, 90 males ; Nile, 96 males.

1803 of William Wilkinson and James Suntor, which I hope will be
 2 Feb. approved of, vouchers for which will be sent by the direct conveyance I am in hourly expectation of.

I have pleasure in remarking the general orderly and regular behaviour of those under my command. I have, &c.,

PHILLIP GIDLEY KING.

GOVERNOR KING TO THE GOVERNOR OF BOMBAY.

(King Papers.)

Sydney, New South Wales,

2nd February, 1802.

Honorable Sir,

George
Bellasis

I had the honor of receiving yours of the 22nd September last by Captain Turner, of the Fly, cruizer, from which vessel Mr. George Bellasis was landed with his wife and family in consequence of the notification of the Honorable the Court of Recorder, a copy of which I found enclosed.

transported
from India.

Although I have received no official or other directions from His Majesty's Ministers respecting receiving convicts from India, yet under such a respectable information I should consider myself reprehensible in not receiving the person sent by the Fly.

A conditional
emancipation.

The necessity of His Majesty's service being benefitted by the talents of Mr. Bellasis* has induced me to exercise that authority vested in me in his favor for that public benefit, and that there may be no misconception of my motives, I enclose a copy of his emancipation, conditional on his remaining in this territory and its dependencies during the term for which he is sentenced, which I have to request you will communicate to the Honourable the Court of Recorder under your Presidency.

A chart of
Bass Strait.

I beg leave to mention the regular and orderly conduct of the Fly's crew during their short stay here, and being refitted Captain Turner intends sailing to-morrow. He will have the honor of delivering you a copy of the chart of the straits separating New Holland from Van Dieman's Land, which will greatly facilitate the passage of ships from India to this colony, and prevent them from experiencing much bad weather. I, therefore, beg leave to recommend that chart being lodged in such hands that commanders of vessels coming hither may have access to it.

King's title.

On any future occasion of addressing the Governor of this territory, it is my duty to inform you that he has the honor of bearing His Majesty's commission as Captain-General and Governor-in-Chief in and over this territory and its dependencies.

I have, &c.,

PHILIP GIDLEY KING.

* Bellasis was appointed Artillery Officer, in succession to Ensign Barrallier.

PROVISIONS AND STORES.

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THE Ration of Provisions which has been established for each mess of six male convicts for seven days successively, during the passage to New South Wales on the Coromandel and Perseus. **1802**
3 Feb.
—
Convicts' rations.

3rd February, 1802.

	Bread, Pounds.	Flour, Pounds.	Beef, Pounds.	Pork, Pounds.	Pease, Pints.	Butter, Pounds.	Rice, Pounds.	Suet, Pounds.	Spice, Pounds.
Sunday ..	20	4	8	..	..	..	..	$\frac{1}{2}$	1
Monday* ..	..	..	..	..	3	$\frac{1}{2}$	..	..	..
Tuesday ..	..	4	..	..	..	..	2	$\frac{1}{2}$	1
Wednesday ..	..	..	..	6	3	$\frac{1}{2}$	..	..	..
Thursday† ..	..	4	..	..	..	..	..	$\frac{1}{2}$	1
Friday ..	..	..	8	..	3	$\frac{1}{2}$	..	..	..
Saturday* ..	..	..	..	..	3	..	..	..	..
Total ..	20	12	16	6	12	1$\frac{1}{2}$	2	1$\frac{1}{2}$	3

* One stock fish and two pints of oatmeal for breakfast.

† Two pints of oatmeal for breakfast.

TRANSPORT OFFICE TO LORD HOBART.

My Lord,

Transport Office, 4th February, 1802.

4 Feb.

We have received the honor of your Lordship's letter of the 28th ultimo, transmitting an extract of a letter from Governor King to His Grace the Duke of Portland,* respecting the evil consequences which result from the vast quantity of spirits imported into the settlement of New South Wales by the transports employed in taking out convicts from this country, and desiring that we would give the most strict instructions to the officers commanding transports to act in conformity to the suggestions contained in the said extract.

Spirits shipped by transports.

We beg, in answer, to acquaint your Lordship that in consequence of an intimation received from Governor Hunter on this subject, so far back as the year 1798,† a prohibitory clause has been invariably inserted in the charter party of every vessel taken up subsequent to that period for the conveyance of convicts or stores to the settlement, a copy of which clause we enclose herewith for your Lordship's information. In addition to this measure of precaution, we have now caused the Port Regulations recently transmitted to us by Governor King to be printed for the purpose of being distributed to the masters of all vessels proceeding from this country to New South Wales, and shall also compel the owners to enter into a bond not to take out more than 500 gallons of

The practice prohibited.

Port Regulations.

* Ante, pp. 317, 318.

† See Governor Hunter's letter to the Duke of Portland, 6th July, 1797, the Duke's reply, and Under-Secretary King's letter to the Transport Commissioners of 23rd July, 1798, vol. III, pp. 240, 357, and 417.

1302 spirits for sale at the settlement, agreeably to the Governor's suggestion. It is, therefore, to be hoped that the pernicious practice complained of may be, for the future, in a great measure prevented.

4 Feb.

We have, &c.,

AMBROSE SERLE.

WM. ABY. OTWAY.

JNO. S. HUNT.

[Enclosure.]

EXTRACT from the Charter Party of ships engaged to carry convicts to New South Wales.

The prohibi- AND also that neither the masters nor any of their ship's company tory clause. shall land spirits, or any other commodities, at the settlement in New South Wales, that are forbidden by the Port Orders, without a regular permit first obtained from the Governor, Lieutenant-Governor, Commander-in-Chief, or Senior Officer for the time being.

GOVERNMENT AND GENERAL ORDER.

6 Feb.

6th February.

Assigned servants.

THE Governor finds it necessary to call the attention of those to whom the labour of convicts is assigned, as well as of the convicts themselves, to the different Orders that have been given on that head since the 28th September, 1800.* By the Orders of the 2nd of October, 1800,† they will observe that no convict thus assigned can refuse to do the Government labour pointed out by Governor Hunter's Orders;‡ and if the master can give them employment after their Government hours or task is finished, they are to do his work in preference to any other person's; that they are not to absent themselves from their master's farms without his leave, or that of his overseer's; nor in any case to go from one settlement to another without a pass from the magistrate. And if the master or his overseer has cause of complaint against a convict servant for neglect of work, disobedience of orders, or absenting themselves without leave, the magistrates are directed to enquire into it and award punishment. That Order further states, as an encouragement to servants to behave well, that the Governor will reward those whose services may procure a recommendation from their masters, &c. The willingness of masters to recompence honesty and diligence in their servants, and the Governor's readiness to reward them, appears by the many emancipations and free pardons given on those recommendations. Whilst the just discharge of the convict's duty to those they are

Labour of convicts.

Good behaviour to be rewarded.

* The day on which Governor King assumed office.

† Ante, p. 222.

‡ See Government and General Orders of 15th May, 1798, and 11th June, 1798, vol. 51 pp. 384 and 678.

assigned to has been so amply provided for and carried into execution (from Oct. 15, 1800, to Oct. 15, 1801), by twelve convicts being punished for abuse, and nine for neglect of work, on the complaint of their masters, who are officers, exclusive of the numerous instances of convicts being punished for disobedience of orders, neglect of work, abuse to soldiers, constables, as recorded in the gaol register, appears a sufficient assurance that no crime of that nature will ever be pardoned or overlooked; and as a further proof of the Governor's conduct on that behalf, a convict servant belonging to an officer is this day ordered to receive 100 lashes, and remain in the gaol gang one year, for gross abuse to his master (an officer), and refusing to sleep on his farm. A complaint of a convict being horsewhipped by the person his labour was assigned to, occasioned the Order of the 26th of December, 1800,* which pointedly forbade any master from beating his convict servant, but to have recourse to the mode pointed out by the Order of Oct. 2nd, 1800, all which Orders issued between the dates before mentioned are confirmed, and the strictest obedience required thereto by all and every His Majesty's subjects resident or stationed in this colony.

1802

6 Feb.

Vigilance of
the police.

An example.

No convict whose labour is assigned to any person whatever will be suffered to go off the stores without having not only obtained his master's previous consent to make the application, joined to the testimony of the convict's good conduct, but also that he produces his master's security for his good behaviour; but if any person should beat or use their servants ill, they will be taken from them to Government labour, and the offenders dealt with according to their situations in the colony. Before the Governor quits this subject, he feels it necessary to remind those convicts who are allowed to go off the store that any insolence to an officer, soldier, or constable, imposition in their demands for labour, neglect of doing the work they have engaged to perform, or idleness, will subject them to be recalled to Government labour and otherwise punished; and although there are many who have obtained their free pardons and emancipations, or who have expiated their sentence of the law, or are otherwise ranked as free people, yet they will recollect that the Governor possesses ample power to restrain and punish every act tending to disturb the peace, good order, and tranquility of this colony, which he is at all times ready to enforce, as it is his study to seek for occasions to reward and protect the industrious and well-behaved.

Assigned
servants.The
Governor's
powers.

The Governor requests that Lieut.-Colonel Paterson will direct Capt. Neil McKellar to hold himself in readiness to embark on board the *Caroline*, American schooner, with his despatches for His Majesty's Ministers.

PHILIP GIDLEY KING.

* Ante, pp. 274 and 679.

1803

GOVERNMENT AND GENERAL ORDER.

19 Feb.

19th February, 1802.

Assaults by
prisoners,
and freemen.

If any prisoner under sentence of the law presumes to strike any known free person, they will, on conviction before two magistrates, be sentenced to receive 200 lashes and remain in the gaol gang twelve months; and if any free person (not subject to military discipline)* strikes a convict, they will for the first offence be fined £2 and find security themselves in £50 and two sureties in £25 each for keeping the peace while they are in the colony; for the second offence they will be fined £5 sterling and the security doubled.

 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

26 Feb.

26th February, 1802.

Assignments
of property.

Irregular
deeds.

IT having been represented to the Governor that several settlers and other individuals are in the habit of making over their property by assignments to different creditors or others, to prevent such scandalous frauds every person will take notice that no assignment of property will henceforth be considered legal unless regularly drawn up at the Judge-Advocate's office and duly registered, which will enable every person receiving an assignment to see if a previous assignment has been made, or the same forfeited.† This regulation has become absolutely necessary, from the illiterate and irregular manner in which those instruments are drawn up, exclusive of the frauds that are so frequent, which has been productive of serious loss and disappointment to the parties concerned, confusion and perplexity to the civil courts, and general mischief to the interests of the colony. Every person now holding assignments are to appear with them at the Judge-Advocate's office on Friday next, the 6th instant, to have them examined and registered, otherwise no cognizance of them will be taken by the civil court.

 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

27 Feb.

27th February, 1802.

THE Commissary having represented to the Governor that those indebted to the Crown and to the stores for the whaler's investments do not show that readiness in discharging those debts which ought to be done, it is expected that every person indebted to the stores on the above account do make their payments on or before 1st day of April next, otherwise writs will be issued for the recovery thereof.

* Governor King apparently had in his mind the embroglio at Norfolk Island, between soldiers and convicts, when he drew up this Order.

† See also the Government and General Order of 13th November, 1800—ante, p. 255.

The Deputy Commissary's assistant having been detected (the first day of receiving wheat into the stores) in placing a greater quantity of wheat to the credit of the owner than was delivered, and having also been detected in receiving payment for the same, any person discovering such a proceeding in future will, on conviction, have a reward of ten pounds sterling, and such other reward as the person and case may merit.

1802

27 Feb.

PHILIP GIDLEY KING.

LORD HOBART TO GOVERNOR KING.

Sir,

Downing-street, 28th February, 1802.

28 Feb.

Herewith I transmit to you His Majesty's commission under the Great Seal appointing you Capt'n-General and Governor-in-Chief of New South Wales, together with instructions under the Royal Sign Manual for your guidance in that government.

King's com-
mission.

I am, &c.,

HOBART.

[Enclosure.]

GOVERNOR KING'S COMMISSION.

George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, to our trusty and well-beloved Philip Gidley King, Esquire, greeting:—

WHEREAS we did by our letters patent, under our great seal of Great Britain, bearing date at Westminster the sixth day of February, in the thirty-fourth year of our reign, constitute and appoint our trusty and well-beloved John Hunter, Esquire, to be our Captain-General and Governor-in-Chief in and over our territory called New South Wales, extending from the northern cape or extremety of the coast, called Cape York, in the latitude of ten degrees thirty-seven minutes south to the southern extremety of the said territory of New South Wales, or South Cape, in the latitude of forty-three degrees thirty-nine minutes south, and of all the country inland to the westward as far as one hundred and thirty-fifth degree of longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid, 10° 37' south, and 43° 39' south, and all towns, garrisons, castles, forts, and all other fortifications or other military works which might be erected upon the said territory, or any of the said islands for and during our will and pleasure, as by the said recited letters patent, relation being thereunto had may more fully and at large appear.

Letters
patent.

Hunter's
commission
recited.

Territorial
limits.

Now know ye that we have revoked and determined, and by these presents do revoke and determine, the said recited letters patent, and every clause, article, and thing therein contained.

Revocation.

1802

28 Feb.

Governor
Philip
Gidley King.Boundaries
of territory.Governor
King's
orders.Oaths to be
taken.

Recusants.

And, further, know you that we, reposing especial trust and confidence in the prudence, courage, and loyalty of you, the said Philip Gidley King, of our especial grace, certain knowledge, and meer motion, have thought fit to constitute and appoint you, the said Philip Gidley King, to be our Captain-General or Governor-in-Chief in and over our territory called New South Wales, extending from the northern cape or extremity of the coast, called Cape York, in the latitude of ten degrees thirty-seven minutes south, to the southern extremity of the said territory of New South Wales, or South Cape, in the latitude of forty-three degrees thirty-nine minutes south, and of all the country inland to the westward as far as the one hundred and thirty-fifth degree of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean, within the latitudes aforesaid, of 10° 37' south, and 43° 39' south, and of all towns, garrisons, castles, forts, and all other fortifications or other military works which are or may be hereafter erected upon the said territory or any of the said islands.

And we do hereby require and command you to do and execute all things in due manner that shall belong to your said command, and the trust we have reposed in you, according to the several powers or directions granted, or appointed you by this present Commission, and the instructions and authorities herewith given to you, or by such further powers, instructions, and authorities as shall at any time hereafter be granted or appointed you, under our signet and sign manual, or by our order in our Privy Council.

And our will and pleasure is that you, the said Philip Gidley King, after the publication of these our letters patent, do in the first place take the oaths appointed to be taken by an Act passed in the first year of the reign of King George the First, intituled "An Act for the security of His Majesty's person and government and the succession of the Crown in the heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret abettors, as altered and explained by an Act passed in the sixth year of our reign, intituled 'An Act for altering the oath of abjur-ation and the assurance and for the amending so much of an Act of the seventh year of Her late Majesty Queen Ann, intituled 'An Act for the improvement of the union of the two kingdoms as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason or misprison.'"

As also that you make use and subscribe the declaration mentioned in an Act of Parliament made in the twenty-fifth year of the reign of King Charles the Second, intituled "An Act for preventing dangers which may arise from Popish recusants."*

* This Act was repealed by 26 and 27 Vic., c. 125.

And likewise that you take the usual oath for the due execution of your office and trust of our Captain-General and Governor-in-Chief, in and over our said territory and its dependencies, for the due and impartial administration of justice.

1802

28 Feb.

Administration of Justice.

And further that you take the oath required to be taken by Governors in the plantations, to do their utmost that the several laws relating to trade and plantations be duly observed, which said oaths and declaration our Judge-Advocate in our said territory is hereby required to tender and administer unto, and in your absence to our Lieutenant Governor, if there be any upon the place.

Trade and plantations.

All which being duly performed you shall administer unto our Lieutenant Governor, if there be any upon the place, and to our Judge-Advocate, the oaths mentioned in the first recited Act of Parliament altered as above, as also cause them to make and subscribe the aforementioned declaration.

Lieutenant-Governor and Judge-Advocate.

And we do hereby authorize and empower you to keep and use the public seal, which will be herewith delivered to you or shall be hereafter sent to you, for sealing all things whatsoever that shall pass the Great Seal of our said territory and its dependencies.

The Great Seal of the colony.

We do further give and grant to you, the said Philip Gidley King, full power and authority from time to time, and at any time hereafter, by yourself or by any other to be authorized by you in that behalf, to administer and give the oaths mentioned in the said first recited Act of Parliament, altered as above, to all and every such person or persons as you shall think fit who shall at any time or times pass into our said territories or its dependencies or shall be resident or abiding therein.

Power to administer oaths,

And we do hereby authorize and empower you to constitute and appoint justices of the peace, coroners, constables, and other necessary officers and ministers in our said territory and its dependencies, for the better administration of justice and the putting the law in execution, and to administer or cause to be administered unto them such oath or oaths as are usually given for the execution and performance of offices and places.

appoint officers,

And we do hereby give and grant unto you full power and authority where you shall cause or judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and to remit all such offences, fines, and forfeitures, treason and wilful murders only excepted, in which cases you shall likewise have power upon extraordinary occasions to grant reprieves to the offenders until and to the intent our royal pleasure may be known therein.

and pardon offenders.

And whereas it belongeth to us, in right of our royal prerogative, to have the custody of idiots and their estates, and to take the profits thereof to our own use, finding them necessaries, and also to provide for the custody of lunatics and their estates without taking the profits thereof to our own use.

Lunatics.

1802

28 Feb.

Lunatics' estates

And whereas while such idiots and lunatics and their estates remain under our immediate care, great trouble and charges may arise to such as shall have occasion to resort unto us for directions respecting such idiots and lunatics and their estates, we have thought fit to intrust you with the care and commitment of the custody of the said idiots and lunatics and their estates.

to be placed in trust.

And we do by these presents give and grant unto you full power and authority, without expecting any further special warrant from us from time to time, to give, order, and warrant for the preparing of grants of the custodies of such idiots and lunatics and their estates as are or shall be found by inquisitions thereof to be taken by the Judges of our Court of Civil Jurisdiction, and thereupon to make and pass grants and commitments under our Great Seal of our said territory of the custodies of all and every such idiots and lunatics and their estates to such person or persons suitors in that behalf, as according to the rules of law and the use and practice in those and the like cases, you shall judge meet for that trust, the said grants and commitments to be made in such manner and form, or as nearly as may be, as hath been heretofore used and accustomed in making the same under the Great Seal of Great Britain, and to contain such apt and convenient covenants, provisions, and agreements on the parts of the committees and grantees to be performed, and such security to be by them given as shall be requisite and needful.

Power to raise troops.

And we do hereby give and grant unto you, the said Philip Gidley King, by yourself, or by your captains or commanders, by you to be authorized, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said territory and its dependencies under your government, and as occasion shall serve to march them from one place to another, or to embark them for the resisting and withstanding of all enemies, pirates, and rebels, both at sea and land, and such enemies, pirates, and rebels, if there shall be occasion to sue and prosecute in or out of the limits of our said territory and its dependencies, and (if it shall so please God) them to vanquish, apprehend, and take, and being taken according to law, to put to death or keep and preserve alive at your discretion, and to execute martial law in time of invasion or other times, when by law it may be executed, and to do and execute all and every other thing and things which to our Captain-General and Governor-in-Chief doth or ought of right to belong.

Martial law.

Fortifications.

And we do hereby give and grant unto you full power and authority to erect, raise, and build in our said territory and its dependencies such and so many forts and platforms, castles, cities, boroughs, towns, and fortifications as you shall judge necessary for the security and defence of the same, or any of them to demolish or dismantle, as may be most convenient.

And for as much as divers mutinies and disorders may happen by persons shipped and employed at sea during the time of war, and to the end that such persons as shall be shipped and employed at sea during the time of war may be better governed and ordered, we do hereby give and grant unto you, the said Philip Gidley King, full power and authority to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers, and to grant to such captains, lieutenants, masters of ships, and other commanders, commissions to execute the law martial during the time of war, according to the directions of an Act passed in the twenty-second year of the reign of our late royal grandfather, intituled "An Act for amending, explaining, and reducing into one Act of Parliament, the laws relating to the government of His Majesty's ships, vessels, and forces by sea," as the same is altered by an Act passed in the nineteenth year of our reign, intituled "An Act to explain and amend an Act made in the twenty-second year of the reign of His late Majesty King George the Second, intituled 'An Act for amending, explaining, and reducing into one Act of Parliament the laws relating to the government of His Majesty's ships, vessels, and forces by sea,'" and to use such proceedings, authorities, punishments, corrections, and executions upon any offender or offenders who shall be mutinous, seditious, disorderly, or any way unruly, either at sea or during the time of their abode or residence in any of the ports, harbours, or bays of our said territory, as the case shall be found to require according to martial law, and the said directions during the time of war, as aforesaid.

1832

28 Feb.

Mutiny at sea.

Suppression of mutinies

Punishment of mutineer

Provided that nothing therein contained shall be construed to the enabling you, or any by your authority, to hold plea, or have any jurisdiction of any offence, cause, matter, or thing committed or done upon the high seas, or within any of the havens, rivers, or creeks, of our said territory and its dependencies under your government, by any captain, commander, lieutenant, master, officer, seaman, soldier, or other person whatsoever who shall be in actual service and pay in or on board any of our ships of war or other vessels acting by immediate commission or warrant from our Commissioners for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being under the seal of our Admiralty, but that such captain, commander, lieutenant, master, officer, seaman, soldier, or other person so offending shall be left to be proceeded against and tried as the merits of their offences shall require, either by Commission under our Great Seal of this Kingdom as the statute of the twenty-eighth of Henry the Eighth directs, or by Commission from our Commissioners for executing the office of our High Admiral of our United Kingdom of Great Britain and

No jurisdiction

over the Navy.

Officers and crew

to be dealt with by British authorities.

1802 28 Feb.	Ireland, or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being according to the aforesaid Act, intituled "An Act for amending, explaining, and reducing into one Act of Parliament the laws relating to the government of His Majesty's ships, vessels, and forces by sea," as the same is altered by an Act passed in the nineteenth year of our reign, intituled "An act to explain and amend an Act made in the twenty-second year of his late Majesty King George the Second, intituled 'An Act for amending, explaining, and reducing into one Act of Parliament the laws relating to the government of His Majesty's ships, vessels, and forces by sea.'"
British laws.	<p>Provided, nevertheless, that all disorders and misdemeanors committed on shore by any captain, commander, lieutenant, master, officer, seaman, soldier, or any other person whatsoever belonging to any of our ships of war or other vessels acting by immediate commission or warrant from our Commissioners, for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland or from our High Admiral of our United Kingdom of Great Britain and Ireland for the time being, under the seal of our Admiralty, may be tried and punished according to the laws of the place where any such disorders, offences, and misdemeanors shall be committed on shore, notwithstanding such offender be in our actual service, and borne in our pay on board any such our ships of war or other vessels acting by immediate commission or warrant from our Commissioners for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland for the time being, as aforesaid, so as he shall not receive any protection for the avoiding of justice for such offences committed on shore, from any pretence of his being employed in our service at sea.</p>
Offences committed on shore.	<p>Our will and pleasure is that all public monies which shall be raised, be issued out by warrant from you, and disposed of by you for the support of the Government, or for such other purpose as shall be particularly directed, and not otherwise.</p>
Punishable under <i>lex loci</i> .	<p>And we do hereby likewise give and grant unto you full power and authority to agree for such lands, tenements, and hereditaments as shall be in our power to dispose of, and then to grant to any person or persons, upon such terms, and under such moderate quit rents, services, and acknowledgements to be thereupon reserved unto us, according to such instructions as shall be given to you under our sign manual, which said grants are to pass and be sealed by our seal of our said territory and its dependencies, and being entered upon record by such officer or officers as you shall appoint thereunto, shall be good and sufficient in law against us, our heirs and successors.</p>
Public moneys.	<p>And we do hereby give you, the said Phillip Gidley King, full power to appoint fairs, marts and markets, as also such and so</p>
Power to dispose of Crownlands.	
Municipal functions.	

many ports, harbours, bays, havens, and other places for conveyance and security of shipping, and for the better loading and unloading of goods and merchandizes, as by you shall be thought fit and necessary.

1802

28 Feb.

And we do hereby require and command all officers and ministers, civil and military, and all other inhabitants of our said territory and its dependencies, to be obedient, aiding and assisting you, the said Phillip Gidley King, in the execution of this our Commission, and of the powers and authorities herein contained, and in case of your death or absence out of our said territory to be obedient, aiding and assisting unto such person as shall be appointed by us to be our Lieutenant-Governor or Commander-in-Chief of our said territory and its dependencies, to whom we do therefore by these presents give and grant all and singular the powers and authorities herein granted, to be by him executed and enjoyed during our pleasure, or until your arrival within our said territory and its dependencies.

The
Lieutenant-
Governor.

And if upon your death or absence out of our said territory and its dependencies there be no person upon the place commissioned or appointed by us to be our Lieutenant-Governor or Commander-in-Chief of our said territory and its dependencies, our will and pleasure is that the officer highest in rank who shall be at the time of your death or absence upon service within the same, and who shall take the oaths and subscribe the declaration appointed to be taken and subscribed by you, or by the Commander-in-Chief of our said territory and its dependencies, shall take upon him the administration of the Government, and execute our said Commission and instructions, and the several powers and authorities therein contained, in the same manner and to all intents and purposes as other our Governor and Commander-in-Chief should or ought to do in case of your absence, until your return, or in all cases until our further pleasure be known therein.

In case of
vacancy,

officer next
in rank

to
administer
govern-
ment.

And we do hereby declare, ordain and appoint, that you, the said Phillip Gidley King, shall and may hold, execute, and enjoy the office and place of our Captain-General and Governor-in-Chief in and over our said territory and its dependencies, together with all and singular the powers and authorities hereby granted unto you for and during our will and pleasure.

Appoint-
ment during
the King's
pleasure.

In witness, &c., the twentieth day of February.

By writ of Privy Seal.

[Enclosure.]

KING'S INSTRUCTIONS.

George R. 23rd February, 1802.

INSTRUCTIONS for our trusty and well-beloved Philip Gidley King, Esq're, &c., &c.

1. With these our Instructions you will receive our Commission under our Great Seal constituting and appointing you to be our

King's Com-
mission.

1802 28 Feb.	<p>Captain-General and Governor-in-Chief of our territory called New South Wales, extending from the northern cape or extremity of the coast, called Cape York, in the latitude of 10° 37' south, to the southern extremity of the said territory of New South Wales, or South Cape, in the latitude of 43° 39' south, and of all the country inland to the westward as far as the 135th degree of east longitude, reckoning from the meridian of Greenwich, including all the islands adjacent in the Pacific Ocean within the latitudes aforesaid of 10° 37' south and 43° 39' south, and of all towns, garrisons, castles, forts, and all other fortifications or other military works which now are or may be hereafter erected upon the said territory or any of the said islands, with directions to obey such orders and instructions as shall from time to time be given to you under our signet and sign manual or by our order in our Privy Council. You are therefore to take upon you the execution of the trust we have reposed in you, and as soon as conveniently may be with all due solemnity to cause our said Commission under our Great Seal of the United Kingdom of Great Britain and Ireland, constituting you our Governor and Commander-in-Chief as aforesaid, to be read and published.</p>
Territorial limits.	
Commission to be read.	
General directions.	<p>2. It is our royal will and pleasure that you do pursue such measures as are necessary for the peace and security of the same and for the safety and preservation of the public stores and stock of every description, and that you do proceed without delay to the cultivation of the lands, the curing of fish and all other provisions, distributing the convicts for those and other purposes in such manner and under such inspectors and overseers and under such regulations as may appear to you to be necessary and best calculated for securing supplies of grain and ground provisions and for curing fish and other provisions for rendering their services the most useful to the community. The assortment of tools and other utensils which have been from time to time provided for the use of the convicts and other persons who compose the said settlement are to be distributed according to your discretion, guided by such further instructions as you may receive from us through one of our principal Secretaries of State and according to the employment assigned to the several persons. In the distribution, however, you will use every proper degree of economy, and be careful that the Commissary do transmit an account of the issues from time to time to the Commissioners of our Treasury and to one of our principal Secretaries of State, to enable them to judge of the propriety or expediency of granting further supplies. The clothing of the convicts, and the provisions issued to them and the civil and military establishments, must be accounted for in the same manner, pursuant to such instructions in that behalf as you from time to time shall receive from the Commissioners of our Treasury or one of our principal Secretaries of State.</p>
Tools and utensils.	
Commissary's accounts.	

3. And whereas the Commissioners of our Admiralty have
 missioned certain of our ships to be employed at our said
 tlement under your orders for the purpose of supplying the
 ne with live stock and other necessaries from such places as
 ll be found most convenient for that purpose, you are in
 equence thereof to consider the providing such supplies of
 a stock and necessaries as an object of the first importance,
 l you are to follow without delay such directions in the execu-
 n thereof as you shall from time to time receive from us under
 sign manual, or from one of our principal Secretaries of State
 that behalf; and all such live stock as shall be brought into
 : said settlement by means of our aforesaid ships or otherwise
 the public expence are to be considered as public stock, and for
 : use of the settlers and emancipated convicts, being settlers,
 l under no pretext whatever to be sold, given away, made over,
 transferred by them or any of them to whom such live stock
 ll be granted by you without your special leave and license in
 iting, first had and obtained for that purpose, on pain of for-
 ting the same, which shall in such case revert and be added to
 : public stock of our said settlement.

1802

28 Feb.

Importation
of live stock.for use of
settlers and
emancipists.

4. And as the increase of the stock of animals must depend
 irely upon the measures you may adopt for their preservation,
 : are hereby particularly charged and directed to be extremely
 itious in preventing all cattle, sheep, hogs, &c., which are to be
 erved as much as possible for propagating the breed of such
 mals, from being slaughtered or taken away from our said
 tlement on any pretence whatsoever, by any vessels or craft
 ich shall come there, until a competent stock may be acquired
 admit of your supplying the settlement from it with animal
 d without having further recourse to the places from whence
 h stock may have originally been obtained.

Preservation
of live stock.

5. It is our will and pleasure that the productions of all descrip-
 ns acquired by the labour of the convicts shall be considered
 a public stock, which we so far leave to your disposal that such
 ts thereof as may be requisite for the subsistence of the said
 ivicts and their families, or the subsistence of the civil and
 litary establishments of the settlement, may be applied by you
 that use. The remainder of such productions you will reserve
 a provision for such further number of convicts as you may
 ect will, from time to time, be sent from hence to be employed
 ler your direction in the manner pointed out in these our
 tructions to you, and you are always to take care on the
 ival of such convicts to obtain an assignment to you or the
 vernor-in-Chief for the time being from the masters of the
 ps bringing the said convicts of the servitude of such convicts
 ose services are assigned, either for the remainder of the terms

Product of
convicts'
labour.Assign-
ments from
masters of
ships.

- 1802
23 Feb.
- The cultivation of the flax-plant.
- which shall be specified in their several sentences or orders of transportation, or for such less time as shall be specified in their respective sentences in that behalf.
6. And whereas it has been humbly represented unto us that advantages may be derived from the cultivation of the flax plant which is found in the islands not far distant from the said settlement, not only as a means of acquiring clothing for the convicts and other persons who are and may become settlers, but from its superior excellence for a variety of maritime purposes; and as it may ultimately become an article of export, it is, therefore, our will and pleasure that you do particularly attend to its cultivation, and that you do send Home, by every opportunity which may offer, samples of that article, in order that a judgment may be formed whether it may not be necessary to instruct you further upon this subject.
- Exploration of the coast.
7. And whereas we are desirous that some further information should be obtained of the several ports or harbours upon the coast and the islands contiguous thereto within the limits of your Government, you are, whenever any of our said ships can be conveniently spared for that purpose, to send one or more of them upon that service. You are to endeavour by every possible means to extend your intercourse with the natives and to conciliate their affections, enjoining all our subjects to live in amity and kindness with them, and if any of our subjects shall wantonly destroy them or give them any unnecessary interruption in the exercise of their several occupations, it is our will and pleasure that you do cause such offenders to be brought to punishment according to the degree of the offence. You will endeavour to procure from time to time accounts of the number of natives inhabiting the neighbourhood of our said settlement, and report your opinion to one of our Secretaries of State in what manner the intercourse with these people may be turned to the advantage thereof.
- The natives to be conciliated.
- Religion
8. And it is further our royal will and pleasure that you do by all proper methods enforce a due observance of religion and good order among the inhabitants of the said settlement; and that you do take particular care that all possible attention be paid to the due celebration of public worship.
- The importation of spirits.
9. And whereas it hath been represented to us that great evils have arisen from the unrestrained importation of spirits into our said settlement from vessels touching there, whereby both the settlers and convicts have been induced to barter and exchange their live stock and other necessary articles for the said spirits to their particular loss and detriment, as well as to that of our said settlement at large, we do therefore strictly enjoin you, on pain of our utmost displeasure, to order and direct that no spirits shall be landed from any vessel coming to our said settlement without your consent or that of our Governor-in-Chief for the time being,

previously obtained for that purpose, which orders and directions you are to signify to all captains or masters of ships immediately on their arrival at our said settlement, and you are at the same time to take the most effectual measures that the said orders and directions shall be strictly obeyed and complied with.

1802

28 Feb.

10. And whereas we have by our Commission bearing date the 20th of February, 1802,* given and granted unto you full power and authority to emancipate and discharge from their servitude any of the convicts under your superintendence who shall from their good conduct and disposition to industry be deserving of favor, it is our will and pleasure that in every such case you do issue your warrant to the Surveyor of Lands to make surveys of, and mark out in lots, such lands upon the said territory as may be necessary for their use, and when that shall be done that you do pass grants thereof with all convenient speed to any of the said convicts so emancipated, in such proportions and under such conditions and acknowledgments as shall hereafter be specified, vizt., to every male shall be granted 30 acres of land, and in case he shall be married 20 acres more, and for every child who may be with them at the settlement at the time of making the said grant a further quantity of 10 acres, free of all fees, taxes, quit-rents, or other acknowledgments whatsoever, for the space of ten years, provided that the person to whom the said land shall have been granted shall reside within the space and proceed to the cultivation and improvement thereof, reserving only to us such timber as may be growing or to grow hereafter upon the said land which may be fit for naval purposes, and annual quit-rent of sixpence for every 30 acres after the expiration of the term or time before mentioned. You will cause copies of such grants as may be passed to be preserved, and make a regular return of the said grants to the Commissioners of our Treasury and the Lords of the Committee of our Privy Council for Trade and Plantations.

Emancipists

to be
allowed
grants of
landon condition
of residence.

11. And whereas it is likely to happen that the convicts who may, after their emancipation in consequence of this instruction, be put in possession of lands, will not have the means of proceeding to their cultivation without the public aid, it is our will and pleasure that you do cause every such person you may emancipate to be supplied with such a quantity of provisions as may be sufficient for the subsistence of himself and also of his family until such time as their joint labour may reasonably be expected to enable them to provide for themselves, together with an assortment of tools and utensils, and such a proportion of seed grain, cattle, sheep, hogs, &c., as may be proper and can be spared from the general stock of the settlement.

Emancipists
to be allowed
provisions
and tools.

* The Governor's power to emancipate convicts was not granted by the Commission of 20th February, 1802 (*ante*, p. 697 *et seq.*), but by the letters patent of 8th November, 1790, vol. i, part 2, p. 410, drawn up in pursuance of the Act 30, George III, c. 47. See in regard to this question "The History of New South Wales from the Records," vol. ii, p. 189.

1802

28 Feb.

The
East India
Company's
rights.

Intercourse
with India.

Encourage-
ments to free
settlers.

Special
cases.

Assigned
convicts.

12. And whereas it is our royal intention that every sort of intercourse between our said settlement or other places which may be hereafter established on the coast of New South Wales and its dependencies and the settlements of our East India Company, as well as the coasts of China and the islands situated in that part of the world, to which any intercourse has been established by any European nation, should be prevented by every possible means, it is our royal will and pleasure that you do not upon account allow craft of any sort to be built for the use of private individuals which might enable them to effect such intercourse, and that you do prevent any vessels which may, at any time hereafter arrive at the said settlement from any of the ports before mentioned, from having any communication with any of the inhabitants residing within your government, without first receiving especial permission from you for that purpose.

13. And whereas certain of our subjects now resident within our said settlement and others from hence, or from other parts of our dominions, may be desirous of becoming settlers in our said settlement, our will and pleasure is that in case such persons shall apply to you for grants of land, you do afford them every encouragement that can be given in that undertaking without subjecting the public to expence, and that grants of land to such amount as you shall judge proper, be made for each person applying not exceeding 100 acres over and above the quantity herein before directed to be granted to such convicts as shall be emancipated or discharged from their servitude, free of all taxes, quit-rents, and other acknowledgements for the space of ten years; but, after the expiration of that time, to be liable to an annual quit rent of 1s. for every fifty acres.

14. It is nevertheless our royal intention, in case of any peculiarly meritorious settler or well-deserving emancipated convict, who shall become a settler as aforesaid, that you shall be at liberty to enlarge the said grants so respectively to be made to such settler or emancipated convict as aforesaid, by the addition of such further number of acres to be granted to them respectively as you, in your discretion, shall judge proper, subject nevertheless to our approbation thereof upon your transmitting to one of our Principal Secretaries of State, which you are hereby directed to do by the first opportunity, your reasons for making the same.

15. And whereas such persons as are or shall become settlers upon our said continent of New South Wales or the islands dependent thereupon, may be desirous of availing themselves of the labour of part of the convicts who are or may be sent there, it is our will and pleasure that in case there should be a prospect of their employing any of the said convicts to advantage, that you assign to each grantee the service of any number of them you may judge sufficient to answer their purpose, on condition of the

maintaining, feeding, and clothing such convicts, in such manner as shall appear satisfactory to you or to our Governor of New South Wales for the time being. 1802
28 Feb.

16. You are to take care that all grants to be given of lands in our said continent or islands be made out in due form, and that the conditions required by these our instructions be particularly and expressly mentioned in the respective grants; that the same be properly registered, and that regular returns thereof be transmitted by the proper officers to our Commissioners of our Treasury, and to the Committee of our Privy Council appointed for all matters of trade and foreign plantations, within the space of twelve months after the passing such grant. Land grants.

17. It is also our will and pleasure that in all grants of land to be made by you as aforesaid, regard be had to the profitable and unprofitable acres, so that each grantee may have a proportionable number of one sort and of the other; as likewise that the breadth of each tract to be hereafter granted be one-third of the length of such tract, and that the length of such tract do not extend along the bank of any bay or river but into the main land, that thereby the said grantees may each have a convenient share of what accommodation the said harbour or rivers may afford for navigation or otherwise. Good and bad land.

18. It is our will and pleasure that between every 1,000 acres of land so to be allotted to settlers or emancipated convicts, being settlers as aforesaid, you do reserve not less than 500 acres adjacent thereto, for the benefit of us our heirs and successors, which spaces so reserved you are not to grant without our special direction and licence, but you are at liberty to lease the same for any term not exceeding 14 years, and on such terms and conditions as you shall judge advantageous to our service, subject to such orders as shall be given to you in that behalf under our sign manual, or by one of our principal Secretaries of State. Crown reserves.

19. And whereas it has been found by experience that the settling planters in townships hath very much redounded to their advantage, not only with respect to the assistance they have been able to afford each other in their civil concerns, but likewise with regard to their security, you are, therefore, to lay out townships of a convenient size and extent in such places as you in your discretion shall judge most proper, having, as far as may be, natural boundaries extending up into the country, and comprehending a necessary part of the sea coast, where it can conveniently be had. Townships

20. You are also to cause a proper place in the most convenient part of each township to be marked out for the building of a town sufficient to contain such a number of families as you shall judge proper to settle there, with town and pasture lots convenient to each tenement, taking care that the said town be laid upon, or as near as conveniently may be, to some navigable river or the sea and towns.

1802	coast. And you are also to reserve to us proper quantities of land in each township, for the following purposes, vizt., for erecting fortifications and barracks, or for other military or naval services, and more particularly for the building a town hall, and such other public edifices as you shall deem necessary. And also for the growth and production of naval timber, if there be any wood lands fit for that purpose.
28 Feb.	
Other reserves.	
Church lands.	21. And it is our further will and pleasure that a particular spot, in or as near each town as possible, be set apart for the building of a church, and 400 acres adjacent thereto allotted for the maintenance of a minister, and 200 for a schoolmaster.
Surveyor's fees.	22. And whereas it is necessary that a reasonable compensation shall be made to the Surveyor General of our lands for surveying and laying out the said lands for the use of such persons who may be disposed to become settlers in the said continent, or islands dependent thereupon, we have thought fit to establish the table of fees hereunto annexed, which you are to allow him to demand from all persons whatsoever, excepting the non-commissioned officers and men of the detachment of our marine corps, or to the convicts emancipated or discharged, who are not to be subjected to the payment of such fees.
Table of fees.	23. You are to cause the above-mentioned table of fees to be hung up in one of the most public places, that all persons concerned may be apprized of the charges which may be demanded of them on their taking up lands within the said continent, or islands dependent thereon.

G.R.

LIST OF FEES UPON GRANTS OF LAND.

<i>Governor's Fees.</i>		£	s	d
Governor's fees.	For the Great Seal to every grant not exceeding 1,000 acres ...	0	5	0
	For all grants exceeding 1,000 acres, for every 1,000 each grant contains ...	0	2	6
	For licence of occupation ...	0	5	0
<i>Secretary's Fees.</i>				
Secretary's fees.	For every grant, and passing the Seal of the Province, if under 1,000 acres ...	0	5	0
	Between 1,000 and 5,000 acres ...	0	10	0
	All above ...	0	15	0
	In grants of land, where the number of proprietors shall exceed 20, each right ...	0	2	6
	In ditto, where the number of proprietors shall not exceed 20, the same as in grants, in proportion to the quantity of land	.....	
	For every licence of occupation of land ...	0	2	6
	For every grant of land, from 1,000 to 20,000 acres; take for the first 1,000 15s., and for every 1,000 more ...	0	2	6
<i>Fees to be taken by the Chief Surveyor of Land.</i>				
Surveyor's fees.	For every lot under 100 acres ...	0	2	6
	From 100 to 500 acres ...	0	5	0
	All above ...	0	7	6
	Every township, if above 20 rights, each right ...	0	2	6

GOVERNMENT LIVE STOCK.

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<i>Auditors' Fees.</i>					£	s.	d.	1802
For the auditing of every grant	0	3	4	28 Feb.
<i>Register's Fees.</i>								
For recording a grant of land for or under 500 acres	...	...	...	...	0	1	3	Auditors fees.
For recording a grant of land from 500 to 1,000 acres	...	...	...	...	0	2	6	Registrar's fees.
For every 1,000 acres to the amount of 20,000	...	...	...	...	0	0	6	
For recording a grant of a township	...	..	...	...	1	0	0	

RETURN of Stock belonging to the Crown in His Majesty's territory of New South Wales, the 28th Sept., 1800, and the 31st Dec., 1801, with the remains to the 1st March, 1802. Government live stock.

Time.	Cattle.	Horses.	Sheep.	Account of Stock dead (exclusive of the numbers contained in the return), and issued in lieu of Salt Provisions between September, 1800, and 31st December, 1801.
28 Sept., 1800	765	30	625	{ Horned cattle dead 29. Quantity of fresh beef issued in lieu of salt provisions, 6,829 pounds; sheep issued in lieu of salt provisions to the hospital, 60, weighing 1,323 pounds; supplied Governor's family, 33, weighing 670 pounds.
31 Dec., 1801	1093	39	826	
1 Mar., 1802	1109	38	809	

JNO. JAMIESON,
Superintendent of the Stock.

GOVERNOR KING TO JUDGE-ADVOCATE GENERAL.
(King Papers.)

Sir, Sydney, New South Wales, 1st March, 1802. 1 March.
I have directed the officer officiating here as Deputy Judge-Advocate to transmit you the proceedings of three General Courts-Martial held by my order, viz. :—Two on Ens'n Nich's Bayly and one on Lt. John Piper, both of the N.S.W. Corps.* Courts-Martial.

Circumstanced as I am with respect to those Courts-Martial it is necessary I should trouble you with this letter, which I respectfully request your consideration of, and that you will lay it with the proceedings before His Majesty.

Respecting Ens'n Bayly's first trial for disobedience of orders, as he was prosecuted by Lieut-Col. Paterson, commanding the Corps, I shall only trouble you with a reference to the correspondence and other documents that led to that prosecution, occasioned by a disregard of orders consequent on H.M. instruction forbidding officers being concerned in the traffic of spirituous liquors. On the above officer's second trial (which was a short month after the first) for disobedience of my General Orders, I was necessitated to prosecute, for which purpose I deputed my aid-du-camp to conduct the prosecution. The peculiar situation I stood in by directing the Court to be convened, and being the prosecutor, Ensign Bayly's conduct.

King's position.

* The proceedings of these three General Courts-Martial are missing.

1802
1 March.

The case of
Lieutenant
Piper.

The
evidence
and the
sentence.

King's
motives.

Lieutenant
McKellar
bearer of
despatches.

appeared to cast an impropriety in my deciding on the sentence of this, as well as on that of Lt. Piper's trial, which had intervened. On this consideration I declined approving the sentence.

To my letter to the Deputy Judge-Advocate I request your reference for my reasons for trying Lt. Piper by a General Court-Martial, after I had represented that officer's conduct to H.M.'s Ministers, and also solicit your attention to those proceedings, the written and oral evidence adduced, and the sentence of the Court, together with the letter and its enclosures, which I have directed the Deputy Judge-Advocate to lay before you, as I considered the sentence so very inadequate to the evidence and the well known facts, that I directed a revisal of the proceedings, which you will observe, sir, by my letter to the President, wherein I pointed out what to me appeared conclusive evidence, and required the Court's reasons for its decision, which was not attended to, but returned with the same sentence. Whatever that sentence might have been, delicacy prevented me from deciding on it, for the reasons I have already given, which makes my request necessary, that you will be pleased to submit those proceedings and the two unapproved sentences to H.M.'s most gracious consideration and decision, to which I am the more strongly urged, from the reflection how much the peace of this colony, and the discipline so necessary to be observed in this distant part of H.M.'s dominions, is concerned in such conduct as that of Lt. Piper's and those with whom he is so unfortunately connected.

Lt. McKellar, who has acted as my aid-du-camp, and who conducted the prosecution, will have the honor of delivering you this letter and the Deputy Judge-Advocate's, and in case you should wish any reference to that officer, I have directed him to leave his address at your office.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

1st March, 1802.

My Lord,

King's voluminous despatches.

Considering it my duty to possess your Grace of every and the most minute circumstances connected with this colony, I fear my present despatch will be considered as unnecessarily voluminous; but having been upwards of a year in the command, I conceive it necessary to give the details which accompany this and my other letters, to possess your Grace as fully as possible of the present state of the colony. For that purpose, exclusive of my general letter No. 6, and its enclosures, I transmit the enclosed "Present State of the Settlement,"* in which I have endeavoured to state every cause that produces expense to the Crown.

* This is the statement which appears under date 31st December, 1801, ante, p. 651 et seq.

I have also enclosed an account, made up to the 31st Dec'r, 1802, of the expenses that have occurred during the first fifteen months of my command, which your Grace will observe amounts to £12,747, and that out of that sum £2,494 17s. 4d. was for salt meat (which is nearly all that remains in store at this time), £7,284 4s. 6½d. for grain, £968 10s. for sugar, and the remainder, £1,999 15s. 6½d. for the purchase of such stores as were indispensable for carrying on public works, many of which were purchased prior to the arrival of the Earl Cornwallis, the remains of which, being of that kind that will be always useful (amounting to £802 15s.), will prevent the necessity of any more being purchased, except in case of great necessity, until we receive the regular supplies from England; and to make those returns more complete, I have directed the Commissary to furnish me with a statement, abstracted from his accounts, of all the stores, provisions, and cloathing he received into his charge (when Governor Hunter left the colony), the disposal of them, and remains, with an account of grain, &c., received for that part exchanged with settlers; and its value is stated in the enclosure, which, together with the Commissary's account of that part of the Cornwallis's investment exchanged for grain, &c., up to to 31st last December, closes our public accounts up to that date. I have directed the Commissary to forward his accounts, which are made up to that period, to the Commissioners for Auditing Public Accounts, by the first direct conveyance.

1802

1 March.

The ex-
penses.Provisions
purchased.The
Commissary
accounts.

I also enclose a statement of the salt meat now remaining, and the quantity, together with that of grain wanted to compleat to the 31st December, 1802, for the present number of full rations victualled from the stores, to which I have added the proportion of salt meat for one year after December, 1802, which, if sent in time, will effectually guard against accidents and short allowance, which so considerably reduces the public labor. Respecting the deficiency of grain, altho' the quantity in Government stacks is counted as present store, yet experience points out the necessity of letting that resource remain to the last. It was that precaution which enabled me to continue giving a little bread last year till the present crops came in, which induces me to take in all the grain that can be offered, either in exchange or in payment; and with all that I apprehend we shall be short before the end of the year, particularly if more convicts arrive.

Salt meat.

Grain.

From what idea I can at present form of our expences for grain, where the cultivators purchase articles from masters of ships, or require payment instead of barter, and other incidental expences (which, if at all necessary, shall be done with a most sparing hand), I see no probability of our contingent expences exceeding those of last year; but this will in some measure depend on the additional numbers sent out.

An estimate
of probable
expendi-
ture.

1802
1 March.
Lieutenant
McKellar's
stock and
grain.

Lieut't Neil McKellar, who is leaving this colony, having disposed of his live stock, and such other property as he possessed here, to those who have given wheat into the public stores, and having lodged all the wheat he grew on his farm last year in the stores also, I have directed the Commissary to draw for the amount in Lieut't McKellar's favour, on His Majesty's Treasury, a voucher for which I have the honor to enlose, which I hope will meet your Grace's approbation.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

My Lord,

1st March, 1802.

Despatches
from
England.

By the Canada, Minorca, and Nile, which arrived the 15th December last, I had the honor to receive your Grace's dispatches as per margin.* All the settlers and convicts were landed in health, and were by far the best conditioned that have ever arrived here, being fit for immediate labor, which is not yet the case with many of those who came by former ships.

Enclosures.

I feel much satisfaction at your Grace's approbation of the measures I have taken to reduce the expences of this colony, which, I trust, will appear further explained by the papers that accompany this dispatch.

Assigned
servants of
officers.

Agreeable to your Grace's suggestions, no officers who cultivate land is allowed the labour of any convicts victualled at the public expence. The number of men allowed to officers who act as magistrates has been reduced to four each, which is the least recompence they can have for their useful services. I have also found it necessary to reduce the number of women victualled for soldiers to five for each company. All those reductions, as well as the disposal of those maintained at the public expence, are stated in the enclosed "Statement of Employment," and "Gen'l Statement of the Settlement," in which your Grace will observe that the labourers on the public account have been considerably increased, while there has been no addition, but rather a reduction, in the number victualled; and that, exclusive of the good crop that has been obtained from the ground cultivated last year for the public, a great progress has been made in clearing land at Castle Hill, where I hope to sow 200 acres on the public account this year, and I hope near 600 acres will be sowed in all for the Crown. Additional stockyards being now enclosed for our increasing stock, has required an additional number of men for that necessary object.

Employ-
ment of
convicts.

* Despatches from London, 1801: January 10th, May 29th, June 6th, 9th, 12th, 19th, 26th, with their enclosures. None of these despatches are available.

In addition to the communications I have made in my former letters respecting the articles received by the ship's as per margin * (the Walker having arrived ten months before I took the command), I have now to submit the enclosed account of the disposal of those articles, and what remained on survey when I took the command†; also the debts paid to Government, and those due up to the 31st last December, most of which are now receiving in grain produced by a most plentiful harvest for the quantity of ground sowed, which was well got in. The most rigid economy is observed, not only in the distribution of those articles, but in every description of private property; nor is there a nail issued but by my written order, which takes up one entire day in the week. Nor am I less occupied the remaining days in other objects of public duty; nor can the affairs of the colony be transacted in any other manner than by the Governor's immediate direction and control in every, and the most minute, public transaction.

1802

1 March.

Government stores.

A most plentiful harvest.

The good harvest we have been helped with has enabled me to issue a full ration of grain, after having eat our very last loaf before the harvest began; and I cannot conceal from your Grace that I have my apprehensions of a scarcity this year, from the additional numbers arrived, and those expected; but every care shall be taken to avoid it.

A full ration of grain.

Our stock of salt provisions (which was so seasonably increased by the supply obtained from Otaheite, that purchased from Americans, &c., and nine months' for the convicts that came by the last ships) is so much reduced that not more than sixteen weeks remain at our present ration, which I trust will last until the supply of salt meat your Grace has so liberally provided for arrives, which will be a great security to the increase of our prospering stock of cattle. In a former dispatch I had the honor of informing your Grace of the Porpoise's succeeding in her voyage to Otaheite, from whence she brought 31,000 pounds of salt pork for the use of the colony, exclusive of a quantity procured for the use of the ship. Since her return it has been necessary to replace her masts with new ones, and to heave her down to repair the copper on her bottom. As we are going on making salt, and have already a great quantity made, and as I hope we shall be able to fit her with sails and rigging, she will be despatched to that island again in about six weeks; but the great difficulty will be our almost total want of articles necessary for traffick, which our stores are unprovided with. A list of such articles as are in request among the inhabitants of those islands is enclosed in the general list of stores wanted. As it was necessary to keep up the correspondence so successfully begun, I sent the Colonial brig to Otaheite in November last with salt, and such articles of barter as could be collected, and I have little doubt of her succeeding. I have also promised to purchase all that can be brought by Mr. George Bass

Salt provisions.

Salt pork from the Islands.

The brig Norfolk.

* Walker, Royal Admiral, Porpoise.

† These enclosures are not available.

- 1802** (who brought a small vessel out here) at 6d. per lb., which is less than half what it can be brought here from England for. Although these are resources that cannot absolutely be depended on (as its success or continuance so much depends on the caprice of the natives), yet I should consider myself blameable in neglecting to profit by them, by every means in my power, for two reasons—first, to save our stock ; and next, to reduce our expences as much as possible.
- 1 March.**
A precarious supply. By the return of the stock* your Grace will observe how much it has increased and will continue to increase if no accident happens. Some few have been killed and issued in lieu of salt provisions, some of which have been exchanged for wheat ; and many of the sheep have been necessarily given to the settlers to breed from, but it has been under such restrictions that no improper use can be made of them. I hope in the course of next year to be able to kill a certain proportion, but that must be done with great caution and economy.
- Live stock.**
- Exploration.** As an officer† is now going to endeavour to penetrate into the interior, for which purpose I shall establish a chain of depôts, and several people having offered to attempt bringing the wild cattle in, I hope soon to give your Grace some certain account of those objects.
- The population.** From what I have stated in this paragraph and in my former communications on this head, and when your Grace compares the numbers in the settlement (5,975), noticing those (3,273) who are no expense to the Crown, and the employment of those (2,072) who are unavoidably supported at the public expense, among whom are many (1,594) whose labor is not in the least productive—as the civil, military, invalids, and children, I trust it will be obvious that no exertion or anxious care has been spared by me to hasten the time when supplies of animal food from abroad may be greatly diminished and finally removed, but this desirable event cannot be calculated upon to a certainty on account of the numbers sent out yearly. In a separate statement I have estimated the probable quantity of wheat that it will be necessary to purchase, which includes the articles furnished the inhabitants from the whalers and investments which, with the supplies sent by Government, has so totally destroyed monopoly that almost all European articles are now selling at little above prime cost.
- Local food supplies.**
- State of the stores.** As so great a time has elapsed since several material articles were received by the Walker, Porpois, &c., some of which are entirely and others almost totally expended, I have enclosed lists of such articles as are indispensably necessary for the public works, as well as those wanted for the accommodation of the inhabitants, and should any supplies have been sent since the Cornwallis sailed a deduction may be made of those already sent. No stores were received by the Canada, &c., only the provisions stated in the enclosed return of the Commissary.

* Ante, p. 711.

† Ensign Barrallier.

I feel myself highly gratified and flattered by His Majesty's most gracious approbation of my appointment of Lt.-Col'l Pater-son to be Lieut't-Governor of this territory, and Major Jos. Foveaux to be Lieut't-Governor of Norfolk Island, which mark of His Majesty's favor I have communicated to those officers, and they request my offering their respectful acknowledgements to your Grace for the honor conferred upon them.*

1802

1 March.

The Lieut-
enant-
Governor.

I have particular pleasure in assuring your Grace of the regular and orderly behaviour of the Irish convicts, and indeed of every other of that description. I wish I could say as much of some officers of the N. S. Wales Corps, who, having first attempted to set their Commanding Officer and myself at variance, and having failed in that, have occasioned much trouble and vexation to that officer as well as myself, which I have detailed in my military letter† accompanying this.

The con-
victs.The military
officers.

Respecting the Orphan Institution, I am happy to inform your Grace that it has been some time fixed, and I have no doubt the most permanent good will result from it—at least, the succeeding generation will be benefitted by it.

The Orphan-
age.

I observe your Grace's remarks respecting Capt'n McArthur's proposals for his farm and stock. That officer's ill behaviour having taken up so much of my time, and his conduct having been such, with respect not only to his own stock, but also depriving Government, by the most indirect means, of Major Foveaux's fine stock of sheep, which would have furnished a sufficiency of wool to keep the manufactories going. It is necessary I should inform your Grace that when Capt'n McArthur was leaving the colony he did his utmost to thwart my views for the public benefit respecting Major Foveaux's sheep; but as I had written a separate letter on this head‡ previous to receiving your Grace's commands, I now enclose it. The great fortune that officer has made in this colony, and the possessions he now has in it, are so notorious, that any further comment of mine is unnecessary how it was acquired, or how realized. As I have detailed his conduct, and the necessity I felt myself under to order him Home under the arrest he thought proper to continue himself in, I must refer your Grace to the duplicates of my dispatches sent by him and Lieut. Grant, as also to the triplicates now carried by Capt'n McKellar, who had acted as my aid-du-camp, with great advantage to the public service since I took the command. He will have the honor of delivering this despatch, and is well qualified to give your Grace every information you may desire respecting this colony, and the public transactions in it.

Macarthur's
stock and
farms.Major
Foveaux's
sheep.Macarthur's
arrest.

* See the Commissions of those two officers, ante, p. 392.

† Post, p. 725.

‡ See letter to Mr. Secretary King of 14th November, 1801, ante, p. 617.

- 1802 By the enclosure No. 5 in my general letter No. 5, and my
 1 March. General Orders, * your Grace will observe the method used to regulate the price of spirits, and to restrict the quantities brought here. The fame of the colony is not yet done away with in America, as we have lately had a vessel in here with 4,000 gallons of spirits. However, the letter I enclosed to the American Minister† in my former dispatches, and what I now enclose in this, as well as the circular letter which I have written to the Consuls in America, of which I enclose a copy, will, I hope, entirely do away that evil. In the meantime it is lessened as much as possible by the internal regulations, which I have lately been compelled to enforce, respecting an officer of the New South Wales Corps, which is more particularly detailed in the military letter accompanying this.
- from The Buffalo. When the Buffalo arrives no time shall be lost in making her
 America. as useful as possible, by going to the Islands in quest of salt pork. A small vessel of 26 tons,‡ which was left almost finished by Governor Hunter, has been lately added to our Colonial vessels, and will be useful in bringing grain from Hawkesbury, &c. By my former despatches your Grace will observe that although I appointed myself captain of His Majesty's armed vessel Porpoise (in consequence of a Commission I received from the Admiralty to command the Reliance), yet that Mr. Scott retains the command of that ship.
- The cargo of I observe your Grace's approbation of my having purchased the
 the John articles from the John Jay,§ the expense of which to Government
 Jay. was only confined to the part of the salt meat and 241 gallons of spirits. All the rest was purchased by the inhabitants at the restricted price I laid on those articles, which enabled every one to supply their own wants, and was the first blow to destroy the monopolies that existed here to such an alarming and infamous degree, which is now done away.
- Military I had the honor to receive the copies of letters your Grace transmitted from His Royal Highness, the Commander-in-Chief, and the Barrack Master. The barrack furniture was received by the
 matters. Royal Admiral. Respecting the instructions and directions contained in the Commander-in-Chief's letter, had I received them before Capt'n McArthur's departure, my conduct most certainly should have been guided by them. In that case,|| whatever reason I might have of his being but little, if at all, censured by a Court-Martial, composed of the present officers of the New South Wales Corps, so great is the influence which his art and wealth has given
- Captain Macarthur.

* See Government and General Order of 1st January, 1802, ante, p. 673.

† See this letter, ante, p. 296.

‡ The Cumberland.

§ The John Jay was an American vessel. She arrived on 30th September, 1800, freighted with a general cargo from Providence.

|| King here refers to the decision of the authorities in regard to the trial of officers at Sydney, instead of sending them Home.

him among many of the subordinate officers, who now remain his adherent partizans, and occasion much trouble and vexation to Lieut.-Col'l Paterson and myself. As these circumstances are more particularly detailed in my annexed military letter, I beg your Grace's reference thereto.

1802

1 March.

Through some omission, the indents of the convicts received by the Canada and Nile were not sent by those ships; only the Minorca's indent was received. Respecting the list of settlers and emancipated people, I have caused as correct a list as possible to be made of them under the different heads, which I have now the honor to enclose, and shall cause similar lists to be transmitted regularly. Some of the settlers arrived by the Canada, Minorca, and Nile, are settled, and situations are searching for the rest, but I fear many of them will prove of the description of those mentioned in my despatch sent by way of China,* a duplicate of which accompanies this. Every means shall be used to make them useful to themselves, and as little as possible burthensome to the public.

Indents of convicts.

Settlers.

Having replied to the different paragraphs in your Grace's last letter, in the order they occur, I shall trespass further by referring to some passages in my former despatches.†

* * * * *

As the services of the civil officers belonging to this establishment, now on leave in England, are much wanted, I have to request those officers, or others in their place, being ordered out as soon as possible. I enclose a list of their names, and where it is possible they may be heard of.

Civil officers on leave.

Notwithstanding the appointment of the Rev. Chas. Haddock as clergyman of Norfolk Island, upwards of two years ago, and the various conveyances that have offered in that time if he had chosen to have profited by them, yet, as he has not appeared, I presume he has declined coming. Under that persuasion I requested, in my letter No. 3,‡ that his pay might be detained in Mr. Chinery's hands until a certificate arrived from this country of his doing duty here. There is only one clergyman in this colony; and the Rev. Mr. Fulton, sent from Ireland for seditious practices, having conducted himself with great propriety and in a most exemplary manner since he has been here, I have given him a conditional emancipation, and directed him to perform Divine Service at Norfolk Island until the clergyman arrives that belongs

A clergyman for Norfolk Island.

A rebel clergyman.

* See Governor King to the Duke of Portland, 14th November, 1801, ante, p. 624.

† These references are omitted, as they are for the most part repetitions of previous letters, the only fresh information being that the stock Mr. Campbell had undertaken, in March, 1801 (ante, p. 312), to import from India, had not arrived; that the cultivation of the flax plant, and the manufacture of woollen fabric, still continued; and that the Frenchmen had planted a vineyard of about 7,000 plants "in as favourable a situation as can be found"; the young plants were doing very well, but the older ones had been ruined by the blight.

‡ 10th March, 1801, ante, p. 325.

1802 to that establishment. As his conduct in that situation has been
1 March. very satisfactory I have drawn on the Colonial Agent for half the salary allotted for the clergyman for Norfolk Island, which I hope will be approved if referred to your Grace.

The Judge-
Advocate.

In my letter No. 3 * I informed your Grace of the death of the Deputy Judge-Advocate, and of my having appointed Mr. Rich'd Atkins, who had done that duty before, and who is the only person in the colony anyway fit for that office, to act until His Majesty's pleasure is received thereon. As so much information and assistance to the Governor is required of the person who acts in that situation, I humbly suggest to your Grace's consideration the propriety of a person having some general knowledge of the law, and a fair character, being sent here to fill that important situation as soon as possible.

Norfolk
Island.

By the last letters received from Lt.-Gov'r Foveaux, he informs me the failure of their crops of maize last season has, for the first time these six years past, rendered it necessary to go to a very reduced ration of animal food, but as the present crops are surprisingly abundant he hopes to renew the full ration. I have the honor to enclose copies of his last returns to me of the state of the settlement, the employment of those supported by the Crown, and the live stock in that settlement.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

Maintenance ESTIMATE of the expences attending twenty-one families (exclu-
of settlers. sive of cloathing), free settlers from England, from the time of their being settled until the eighteen months are expired, at the end of which they are to maintain themselves, viz.:-

	£	s.	d.
Twenty-one men @ £20 pr. ann'm for provisions	420	0	0
Twenty-one women @ £15 „ „	315	0	0
Forty-six children @ £10 „ „	460	0	0
Two convicts for each family	840	0	0
For one year	2,035	0	0
Six months	1,017	10	0
	£3,052	10	0
Agricultural tools, two ewes, and six bushels of seed wheat each, for 21 at £12 each	252	0	0
Expence of twenty-one families for 18 months	£3,304	10	0
Expence of one family for 18 months	£157	7	1½

PHILIP GIDLEY KING.

* Ante, p. 325. Dore died on 13th December, 1800.

GOVERNOR KING TO THE DUKE OF PORTLAND.

1802

Sydney, New South Wales,

Lord,

1st March, 1802.

1 March.

With this I have the honor to transmit a plan* of the dis- and allotments of ground in these settlements, in which is guished the farms that have been in any degree in cultivation ear, and those that are deserted or lying waste after having in part cleared. By this plan, your Grace will observe that Government grounds at Toongabbee (designed by Governor p for public cultivation) have been circumscribed and parcelled settlers.

A plan of the settlements.

secure grazing ground for Government stock of cattle, and ture cultivation, I have judged it expedient to give a special ty of the tract of ground marked EE in the plan, as designed e enclosed instruments, which, with the plan, I humbly se, may be kept as a record in your Grace's office, a copy of shall be left in the Governor's possession. As there are a er of farms deserted and lying waste, and others that have been occupied, altho' grants have been given for them, I to request your instructions whether lands thus situated are ert to the Crown, as in general they occupy the choicest and desirable spots in the settlement.

Grazing areas.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

Lord,

1st March, 1802.

I have to acquaint your Grace that the East India Com- cruizer, Fly, arrived here 2nd January last, from Bombay, a letter from the Governor and Council of that settlement, ing a notification from Court of Recorder, stating the sen- it had passed on Mr. Geo. Bridges Bellasis, vizt., fourteen transportation, and that by virtue of an Act passed in the und 40th years of His Majesty's reign, the Courts of Judi- in the Company's territories were empowered to transport ts to this colony.

Lieutenant Bellasis.

th Mr. Bellasis (who brought his wife and family with him) A memorial. a memorial signed by the principal inhabitants of Bombay, he heads of corps serving in that Presidency, and other as along the coast of Malabar, of which I have the honor to e a copy.

Bellasis appears to have served with much credit in the any's Artillery on the Bombay establishment, and but for melancholy event that deprived the Company of his services,

A military officer.

* This plan is unfortunately missing.

1802
1 March.

Condition-
ally emanci-
pated.

He applies
for a free
pardon.

there appears no doubt but he would have continued his career as a good officer. Under these circumstances, and the want we are in of an officer properly qualified to train some people to the use of our few cannon, I was induced to use the power His Majesty has been pleased to delegate to the Governor of this colony, in giving Mr. Bellasis an emancipation, conditional on his not going without the limits of this territory during the term for which sentence was passed on him. This extension of His Majesty's mercy I trust will not be disapproved, considering the object and the motives that have induced me to take that step. With this I have the honor to transmit a petition to His Majesty from Mr. Bellasis, in compliance with the wish of such a respectable body as the signers of the memorial he brought here with him. As the peculiar circumstances he came here under were of such a nature, I have not given him any hopes of obtaining a free pardon but, through His Majesty's clemency, I therefore most humbly request your Grace will be pleased to lay his petition before His Majesty, which I respectfully trust may be the means of his again serving his King and country with effect and gratitude, and that your Grace may be enabled to signify that such a future extension of the Royal mercy by a free pardon will not be disapproved of, if the person in whose favour I make this humble request continues that line of conduct here which report has spoken so favourably of.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

Memorial.

To the Honourable the Governor, at Port Jackson,
New South Wales.

Honorable Sir,

Bombay, 13th August, 1801.

Lieutenant
Bellasis.

We take the liberty to intercede with you in favor of Mr. George Brydges Bellasis, late a lieutenant of the Corps of Artillery in the Honorable the East India Company's service, on their Bombay establishment, who, unfortunately, has violated the laws of his country, while impelled by his sense of honor as a gentleman to redress an insult offered to a young lady (Miss King), the sister of his wife, who lived under his protection.

Fatal termi-
nation of a
duel.

Mr. Bellasis has been convicted of felony and murder in killing the late Arthur Forbes Mitchell, Esq., in a duel; but, in consideration of the circumstances in alleviation, he was recommended by the jury to mercy, and the Court, by virtue of a late Act of Parliament, commuted the punishment of death for that of fourteen years' transportation to New South Wales. We feel for and heartily deplore his situation.

The lieu-
tenant's
services.

Mr. Bellasis for nine years was in the army under this Presidency. During that time he has been in actual service in the

war against the late Tippo Sultaun,* and in other places, and his courage and conduct has ever merited the approbation of his commanding officer. 1802
1 March.

With these sentiments, we venture to notice to you the military merits of Mr. Bellasis, as having been that of a brave, an active, and a deserving officer; and, as we persuade ourselves that his behaviour will entitle him to your favour, we hope for your compliance with our solicitations to avail yourself of an early opportunity to recommend his case to the merciful consideration of His Majesty, and for such mitigation of the sentence as to His Majesty shall seem meet. The petition.

We have, &c.,

[Signed by 110 of the principal inhabitants, Generals, Field Officers, and other officers of the Bombay Army.]

[Enclosure.]

PETITION OF LIEUTENANT BELLASIS.

To the King's Most Excellent Majesty.

The humble petition of George Bridges Bellasis, late a lieutenant of Artillery in the Honourable East India Company's service, at Bombay,—

Sheweth :—

That your Majesty's humble and dutiful petitioner, altho' charged with the atrocious crime of murder, and now suffering under a verdict of imputed guilt, presumes to approach your Majesty under circumstances of stronger extenuation than perhaps were ever before submitted to the throne of mercy. Lieutenant Bellasis convicted of murder.

Your petitioner humbly presumes there are scarcely any circumstances or events in domestic life more interesting to the feelings of sensibility than when a beloved relative becomes a victim to the artifices of designing villainy; and if the tyrant custom of duelling on any occasion admits an extenuating plea, it may be considered when the hand of an injured brother or husband is uplifted against that species of treachery and fraud which all the laws of social society unite to hold in common execration. His provocation.

The situation in which your Majesty's humble petitioner appears, as the protector of his sister's honor, is marked with peculiar circumstances of infamy on the part of his rash and ill-advised opponent, who, after having voluntarily made honorable proposals to his sister—after having been received and acknowledged as her intended husband—at length, without the power of assigning any just cause, peremptorily recedes from those proposals. Nor had your Majesty's humble petitioner been induced to take the step which produced the unhappy consequences he has so much reason to lament, until every other mode of accommodation had been attempted in vain. Protecting a sister's honour.

* Probably intended for Tipu Sultan, more familiarly known as Tippoo Sahib.

1802

1 March.
An appeal
for mercy.

That if those incentives which called your Majesty's humble petitioner forth, as the protector of a beloved sister, wounded in her feelings and insulted in her pride, have been held by the jury in this trial as entitled to a degree of alleviation, and your Majesty, considering that there are, unfortunately, existing rules in superior society (however immoral their source and dangerous their tendency) which operates imperatively on human nature, your petitioner humbly hopes your Majesty will graciously deign to extend your mercy to your humble petitioner, for an act committed under circumstances of dire and peculiar aggression, and in the situation your petitioner had the honor to be placed from the irresistible force of jealous and tenacious honor.

And your humble and dutiful petitioner, as in duty bound, will ever pray.

GEORGE BRIDGES BELLASIS.

GOVERNOR KING TO BRITISH CONSULS IN NORTH AMERICA.

Sydney, New South Wales,

1st March, 1802.

Sir,

Importation
of spirits
from
America.

Restrictions.

As it is so much the custom for American vessels to come here laden with spirits, which His Majesty's instructions to me absolutely forbids the importation and sale of here; and as it has been my indispensable duty to send two Americans away with a great quantity of spirits, as well as a vessel from India, I have to request you will make it as generally and publicly known as possible, that no greater quantity than 300 gallons of spirits will ever be allowed to be imported here from any one vessel. As I send this letter with the approbation of His Majesty's Principal Secretary of State for the Home Department, I have to request your compliance therewith, as well to prevent the merchants in America from being losers, as to prevent the bad consequences of spirits being brought here.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.*

Sydney, New South Wales,

1st March, 1802.

My Lord,

Military
matters.

Since my last military letter, No. 3,† some circumstances have occurred in this settlement which require being detailed for your Grace's information.

Lieutenant
McKellar.

Lieut't Neil McKellar, of the New South Wales Corps (with local rank here as captain), who has done duty as adjutant to the N.S.W. Corps previous to my taking the command, and since as

* This was numbered by Governor King, "Military Letter, No. 4."

† Governor King to The Duke of Portland, 21st August, 1801, ante, p. 492.

my aide-du-camp, much to my satisfaction and the public advantage, will have the honor of delivering this despatch, that officer's local knowledge enabling him to give every information, and answer any questions that may be put to him, as well with respect to the colony as the disagreeable events that have occurred among some of the officers here. The necessity there appears to Lieut't-Colonel Paterson and myself of this officer's being present on Capt'n McArthur's arrival in England (he having been ten years in the colony) and more officers expected to arrive daily, has induced me to charge that officer with my despatches and Captain McArthur's sword, who I sent Home under an arrest in December last; but as he went by way of India, it is probable that Lieut't McKellar may arrive about the same time as Capt'n McArthur.*

1802

1 March.

Sent Home with despatches and Captain MacArthur's sword.

As the causes which led to the unfortunate event of Lieut't-Colonel Paterson's exacting private satisfaction for the injuries he conceived he had received, in which the Lieut't-Colonel was dangerously wounded; the necessity I found myself under to take efficient measures to prevent other *rencontres* among the officers of the Corps, and a renewal thereof between Colonel Paterson and Captain McArthur; that officer's refusal of coming out of arrest; my reasons for not trying him by a General Court-Martial in the colony; and his refusal to give securities for keeping the peace, which he had been concerned in breaking, and which I was certain would be broke again; and the tranquility of the New South Wales Corps and the colony depending so much on that officer being sent from hence; all which circumstances being detailed in the representations I have made of these events, and the annexed documents which Lieut't McKellar is the bearer of, I respectfully request your Grace's reference thereto, and humbly hope it will appear that doing justice, and preserving the peace, good order, and tranquility of the colony, has guided every part of my conduct; and should any reference be made to Lieut. McKellar, that officer is possessed of every circumstance attendant and consequent on these events.

The duel between Paterson and MacArthur.

MacArthur sent Home under arrest.

By the receipt of the letter contained in your Lordship's despatch of June 19th, 1801, containing His Royal Highness the Commander-in-Chief's sentiments respecting Brevet-Major Johnstone's case,† I found it necessary to try Lieut. John Piper (with local rank as captain) on the charges contained in the representation I had made of that officer's conduct. The minutes of that Court-Martial I have directed the officiating Deputy-Judge-Advocate to transmit to the Judge-Advocate General, to be laid before His Majesty, to whose most gracious consideration I have referred it. Being the prosecutor, whatever the sentence might have been,

Major Johnston.

Captain Piper.

* Lieutenant McKellar went Home via America in the American schooner, *Caroline*.

† Ante, p. 303.

- 1802 I did not consider myself eligible to decide thereon ; but (as it appears in the proceedings) in consequence of what appeared to me a sentence by no means adequate to the evidence produced, I directed the revision of the proceedings, and required the Court's reasons for the sentence given, which the members did not think proper to do. In humbly submitting these proceedings and sentence to His Majesty's most gracious decision, I am confident of experiencing that justice which may be deemed admissable in support of the situation I have the honor to hold.
- 1 March. The Court-Martial on Piper. Ensign Bayly. It has also been necessary to try Ensign Bayly, of the N.S.W. Corps, twice within one month for disobedience of orders, his first trial being at the instance of Lieut.-Colonel Paterson, and the latter at mine. I have the honor to enclose copies of the correspondence that led to that officer's being tried by Colonel Paterson, which your Grace will observe is one out of the many instances of the vexatious difficulties I have to contend with in carrying my instructions into effect.
- Court-Martialled twice. I have directed the Deputy-Judge-Advocate to transmit the proceedings and sentence of Ensign Bayly's first trial, which I approved, and was carried into execution ; also the proceedings and sentence on his second trial, for a breach of my public order, the sentence of which I declined confirming, for the reasons given in the preceding paragraph, being myself the prosecutor, which I humbly submit to His Majesty's gracious consideration and decision.*
- Lieut.-Col. Paterson and Captain Macarthur. Lieut.-Colonel Paterson's decided conduct (but for which this colony and the N.S.W. Corps would have been plunged in confusion) in refusing to connect himself with Captain McArthur and those officers who had concerted the plan of treating me with disrespect, brought on him the unfortunate *rencontre* with Captain McArthur, which produced the measures I was compelled to adopt with the latter officer; and my consequent conduct with respect to Captain Piper's trial. Nor can I conceal that Lieut.-Colonel Paterson and myself have experienced much vexatious and unwarrantable treatment from Ens'n Bayly and the officers who are become the partisans of Capt'n McArthur, whose names I understand Lieut.-Colonel Paterson has communicated to His Royal Highness the Commander-in-Chief, which conduct on the part of those officers is but ill-calculated to support the good order and discipline so necessary to be observed in this distant part of His Majesty's dominions.
- Macarthur's partisans. Having submitted the conduct of those officers to your Grace's consideration, it is equally my duty to inform you that the utmost order and regularity has uniformly prevailed since I took the command among the non-commissioned officers and privates of the N.S.W. Corps ; nor do I mean to censure the conduct of any other officer, except those I have felt it my duty to bring forward.
- Good conduct of the Corps in general.

* The proceedings in the cases of Captain Piper and Ensign Bayly are not available.

I have the honor to send with this a copy of all the General Orders issued by me from the time I took the command up to the present date, which has an index, to the reader finding any order.

I have, &c.,

PHILIP GIDLEY KING.

1802
1 March.

GOVERNMENT AND GENERAL ORDER.

Proclamation.

16th March, 1802.

16 March.

It having been usual for those hitherto allowed to kill and vend sheep and swine's flesh to have their agents among the settlers and others searching for good stock of any kind, whether male or female, and after obtaining them by various artifices (but mostly by the lure of spirits) from the unthinking possessors, they are killed and sold at the most exorbitant prices. Ewes lately given to settlers from Government flock to breed from have been thus purchased, killed, and sold; sheep have been purchased from an absent officer's overseer; and individuals have had sheep stolen from them repeatedly for the purpose of selling to butchers.

Destruction
of live stock.

As these proceedings have a manifest tendency to destroy the breeding stock (which Government was originally at so great an expence in procuring) for the purpose of enriching a few individuals at the present expence and future existence of the inhabitants of this colony, the following ordinance is to be obeyed by all and every of His Majesty's subjects in this territory and its dependencies, viz:—

Interfering
with breed-
ing.

The Lieutenant-Governor and magistrates will proceed forthwith to elect and give license to two freemen in Sydney, and one in Parramatta, as butchers, who alone shall be allowed to kill and expose for sale, directly or indirectly, any carcase meat under the penalty of five pounds for each offence; the persons licensed to pay 5s. for the license and find two responsible securities in £20 each, and themselves in £40, for the due performance of the following rules:

Butchers to
be licensed.

1. Not to purchase or receive for killing any cow, ewe, or breeding sow.

Male stock
only to be
slaughtered.

2. Not to sell or send on board any ship or vessel live stock (except poultry) or carcase meat, without a permit from the Governor, or in his absence the Lieutenant Governor.

3. To deliver to the Governor a weekly account of the number of male stock killed and sold.

Returns to
be furnished

4. Not to give more than 1s. 1d. sterling per pound for mutton and 6d. per pound for swine's flesh, or to demand more than 1s. 3d. sterling per pound for mutton, and 8d. per pound for swine's flesh. This regulated price to continue for one year from the date hereof, and any demand exceeding these prices (exclusive of the penalty

Regulation
of prices.

1802 the butcher is liable to) the Governor commands the magistrates
16 March. and all courts of justice not to take cognizance of either directly or indirectly.

Penalty for
dis-
obedience.

A disobedience or neglect of the above regulations will, on conviction before two magistrates, incur the forfeiture of the recognizances to the profit of the person or persons prosecuting to conviction, and the offender sentenced a year's imprisonment and hard labour.

All persons are strictly forbid killing or sending from this territory, or any of its dependencies, any female stock, except they have the Governor's permission for killing such as may appear past breeding.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

19 March.

19th March, 1802.

The supply
of salt meat.

THERE being only twelve weeks salt meat remaining in the stores at the present ration for the numbers maintained by the Crown, and as accidents may have happened to detain the expected supplies of salt meat, the Governor is sorry to be under the disagreeable necessity of striking all women, children, and those men who are not actively employed, off the stores for salt meat, until further orders. The civil, military, and those actively employed at Government work, to remain on the present ration until further orders.

Wheat.

The former orders respecting those who have put wheat into the public stores during the present quarter, to be attended to, otherwise no claims of any kind will be allowed of after the 10th April next.

PHILIP GIDLEY KING.

EX-GOVERNOR HUNTER TO UNDER-SECRETARY KING.

22 March.

Dear Sir,

No. 40, Cornhill, 22nd March, 1802.

Transporta-
tion.

I had the honor of receiving your letter of the 20th, on the subject of the ships intended to be sent out each spring and autumn, with convicts, to New South Wales, a plan which I am glad to find adopted,* as I am sure it will be attended with very considerable accommodation to the inhabitants of that colony.

Exportation
of timber.

With respect to such articles as that settlement in its present state can best furnish as a return by those ships to this country, I would recommend the sending back such timber as may be thought fit for naval purposes, of which I think there are several kinds, viz., that called by us stringybark. It is something similar to the teak of India, and is, in general, sound.

* The plan referred to was to send out the convicts in King's ships at stated periods of the year. The letter to Hunter of the 20th March, 1802, is missing.

The box-tree.*—This is a straight, sound, and compact timber, and there was much of it in the neighbourhood of Parramatta and Portland Place. The crooked limbs of most of the gum-trees, when sound, are very fit for ship timbers or ribs, and are uncommonly durable. The fact I proved by the raising the frame of a vessel of 160 tons, which, for want of strength, I could not finish before I left the country, but she stood in frame, exposed to the weather, upwards of two years without the smallest appearance of any decay.

1802

22 March.

The box tree.

There is also a tree there called *cedar*,† but it is a sort of coarse mahogany. The swamp or *she-oak*,‡ more frequently called *beef-wood*: This is a beautiful wood, and highly ornamental in cabinet work, much admired in this country. I think that would be a valuable return. I must here observe that as most of the timber in that country is very heavy, and will not swim (the cedar excepted), and as it may be necessary sometimes to carry it some distance by water, crafts for that purpose must be built without loss of time. If the timber happens to be cut at Botany Bay or Broken Bay the ship can go into those harbours and receive it.

Cedar and she-oak.

If coals—of which there is abundance at Hunter's River, a small harbour 22 leagues to the northward of Port Jackson—shall be approved as a return, small crafts must be built and kept constantly going, for the purpose of making a deposit at Sydney. When I mention coals I do not mean them as a return to this country, but that an agreement might be made hereafter with the Dutch Government at the Cape of Good Hope, where fuel is so very scarce, and so very expensive; and that they should in return send by a ship of their own, if it can be so settled, live cattle to Port Jackson; or, if more approved, they might send sugar from the colony of Batavia, with such other Indian goods as the Government here might consent to have the colony supplied with. This would, no doubt, relieve the expenses of the settlement, and very much add to the comfort of its labouring inhabitants.

Exportation of coal

in return for cattle or stores.

If the timber to be sent from New South Wales should not be approved in our dockyards, it would be found a convenient and valuable article for fuel or other purposes at the Cape, which lays so conveniently in the route homeward.

Most of the trees in New South Wales afford a bark which is strongly astringent, and answers well for tanning leather. This I have tried in the colony, and found it succeed well.

Tanning.

Small vessels would be convenient in the proper seasons amongst the islands off the south part of the coast, where they sometimes find many seals; but this kind of business would be better in the hands of private individuals, if permitted to build vessels fit for such purpose.

Sealing.

* *Eucalyptus hemiphylora*, F.v.M.† *Cedrela australis*, F.v.M.‡ *Casuarina suberosa*, and other spp.

- 1802 The native flax—a good sort—grows with considerable luxuriance in its wild state in different parts of the colony, but particularly on the banks of the Hawkesbury River. Should the frequent floods there occasion the abandoning any of those farms, the flax would be cultivated on that ground with much advantage, and the floods would probably be less ruinous to that article than they have to our corn or wheat fields.
- 22 March.
The flax plant.
- Wool. The sheep bred in that country produce good wool. Might not the raw material be purchased up there and sent Home to be manufactured for the use of the convicts?
- Tobacco. That country produces tobacco very well from the seed which has been carried there. I am the more surprized at the prices paid in the colony for that article, whilst such numbers were employed in farming.
- Indigo. Indigo grows spontaneously in New South Wales, particularly near the eastern farms, and might no doubt be cultivated with advantage. All these things I have mentioned as matters which, in my travels through that country, have fallen under my own observation, and I do it merely to show that in due time much may be done to lessen the expences of that settlement; but at the same time I conceive the timber and coals may be found the only articles by which a part of its expences may be immediately relieved.
- The timber. In speaking of the timber of New South Wales, and of its ability for naval purposes, I confine myself to what experience I had of it in His Majesty's ship *Reliance* whilst under my command.
- The *Reliance* in a gale. In 1797, on a passage from the Cape of Good Hope to New South Wales in a calm, three heavy seas broke on board the ship, smashed the jolly boat (over the stern) to pieces, stove the cabin dead-light in, &c., &c., which, together with gales of wind, afterwards shook the ship so much, and put her in so leaky a state that it was necessary to give her a very considerable repair, to do which the carpenter thought it necessary to put eight riders in of a side, from the gunwale down to the keelson, each in one piece, which was done, together with relaying the decks, repairing the top sides, and new waterways, from the wood of the country, and from trees fallen near where the ship lay. I afterwards made several voyages to and from Norfolk Island, and made a winter's passage round Cape Horn to St. Helena, and from thence to England, during which time, though the ship encountered many heavy gales and laboured much, not one of the riders either shrunk, rent, or, when I left the ship in 1801, were in the least decayed. The ship is now lying at Sheerness (a receiving ship), where those riders may be seen, as well as the plank sheers, waterways, &c., which were put in her from the wood of that country.
- Repairs with Colonial timber.

I must here remark that we had not any paint in the ship, or anything that could tend to preserve the wood in a warm and afterwards in a very cold climate. It is therefore in the same state as when cut down in the woods, and was not seasoned as ship timber in general is. It will be necessary to observe that there is so much resinous gum in the wood that it appears to be impervious to water, for many logs, in the first forming the settlement in 1788, were cut down and rolled into the water (salt), to clear the land, which logs, when taken up again in 1798, were as sound as when cut down—not the smallest appearance of decay. The stumps of which trees were blown with gunpowder, bored with holes, and filled with mud and water, and of course constantly exposed to the weather; after remaining in this state more than eleven years, no appearance of decay showed itself. I am therefore induced to think the wood of New South Wales more durable than oak or the teak. Masts have been made of it, and very fully approved of by the commanders of the different vessels in which they were put. In His Majesty's ship Buffalo, which returned from New South Wales, there is a mizenmast and bowsprit made of the wood of New South Wales. The commander of her so much approved of the bowsprit that he solicited the officers of the yard not to replace it, and has sailed again for New South Wales with it in. On being got out for the purpose of being examined, it *floats*. The mizenmast was kept by the officers of Portsmouth yard, and is now there for inspection.

1802

22 March.

Exposure of timber to weather.

No decay in eleven years.

When this wood has been used for planking a ship, it has been found of so hard a nature that a scraper would hardly touch it, and a nail drove in, the carpenter of the Reliance said, they could not get out again. The bolts now in the riders of the Reliance will most probably confirm the assertion.

A hard timber.

The carpenters, when in getting the timber for the repairs of the Reliance, stated that the timber necessary was in great abundance, but they were sometimes obliged to go for the crooked timbers that exactly suited their purpose some distance, but the ship was then lying alongside the rocks in the town of Sydney. Any quantity of strait or crooked timber was to be got close to the water's edge (I mean fit for naval purposes) through the whole harbour of Port Jackson, which is nearly seventeen miles in length, with almost numberless coves on each side, the parts cleared for cultivation being in general some distance inland. Rough timber may be fashioned where the tree is fallen, and in the heaviest gale of wind a small boat can go to any part of the harbour, it being in general considerably less than a quarter of a mile wide; consequently, water carriage is always certain.

Abundance of timber.

Water carriage.

If plank was necessary for the wales, or any other part of a ship, the pit could be made under the tree where fallen, and the plank cut out and shaded till seasoned. It is customary to do so in that

Ship-building.

- 1802 country, the land being unoccupied, and for more than twelve miles a ship of 500 tons can be moored where most convenient for receiving spars, timber, or plank. Made masts could be finished in the woods, and be brought down in separate pieces to the water side. Anchor stocks, or yard-arm pieces could be furnished in the same way, and capstans, cross-trees, and billheads, with a certainty of their answering the purpose for which they were intended. Such timbers, from the growth of the trees, might be selected here as would more effectually secure the planks to the stern and stern posts of a ship.
- 22 March. Ships were sent from India to New Zealand, when they left people while they disposed of their cargo at Port Jackson, who, during the time they were there, cut as many spars as they wanted, and in two instances built schooners of 50 tons, one of which was at Port Jackson when I left it; the other was, I believe, taken to Batavia.
- Ship-building at New Zealand. The boats of the *Reliance*—which, I believe, are now at Deptford—were built by the crew of the *Reliance*, many of which, under the superintendence of the carpenter of the ship, with a like encouragement, fellers, sawyers, and carpenters, sufficient for any rough work.
- Ships' boats. The coast on each side Port Jackson is almost a mass of coal. In Hunter's River, to the north of Port Jackson, the boats frequently went to load with coal for the purpose of supplying the ships in Port Jackson going to India as an article for sale. They usually broke it from the cliffs with a pickaxe into the boat, or got it from an island mostly composed of coal, lying at the mouth of the river. There are so many specimens of this coal in England that its qualities are known, and, I believe, considered very fine. If the coal-tar is considered any object, any quantity might be provided from this coal, and I apprehend the cinders, after the tar is extracted, would answer every purpose of an iron foundry, which might be carried on to any extent Government wished, the country abounding with so much of that ore.
- Coal and iron. On Norfolk Island the pine tree exudes a great quantity of turpentine from its bark, quantities of which might be collected at the proper season by scarifying the bark as well as spars. I am not sufficiently informed to what extent the flax plant of that island may be made useful. There is a great quantity of it, and I have seen some canvas made from it used as ships' light sails.
- The Norfolk Island pine and flax. I should suppose a ship going direct to New South Wales with convicts, and to return with a cargo of timber (if timely information had been given that it might be ready for them), could perform the voyage in twelve months. The constant prevailing westerly wind will always insure a passage; or if necessary to send timber to the West Indies, the passage would be much shortened.
- The voyage to Sydney.

In times of war those ships could bring many men for the service of His Majesty's fleet from the emancipated convicts. Most of those I found it necessary to enter on board His Majesty's ship *Reliance* turned out useful men. How many may be got I cannot say, but I should suppose some hundreds, and as the colony increases their number must increase. The East India Company did send officers there to recruit their army, but I believe were prevented.*

1832

22 March.

Convicts as recruits for Navy.

The sassafras wood is there in great plenty, which is, I understood, not only for medicinal purposes, but for other uses, an object of commerce.

I should suppose the wood of New South Wales would have a superiority over what I have generally seen in use for gun carriages, as the constant friction during the time of action, exercising the guns, washing the decks, and the various occasions there are for running guns in and out, wears the trucks and axle trees very much, which is more particularly experienced on foreign voyages, not being able to replace them. The wood of New South Wales, when used as cogs to wheels in various mills used here, do not suffer from friction. Gun carriages, from their being so frequently washed, I believe, tends to their decay, which, together with the friction, tho' not rendering them useless, it still prevents their being worked with facility, easily painted, or rendered of that general utility they might, had not the wood been worn away, which so much impedes their traversings.

Colonial timber for gun carriages.

I have understood in times of peace, when gun carriages are laid up in the different gun wharfs, that with all the precaution of painting them, &c., it is not found sufficient to prevent many becoming useless. The wood of New South Wales will certainly bear friction and stand the weather. I should suppose slides for carronades made from that wood would more fully answer the purpose.

Decay in time of peace.

In machines used in dockyards, where a great deal of friction takes place, I think that wood would be found highly serviceable. It sometimes happens in a ship that a block is obliged to be so placed that the rope leading through lays against the check of it. That wood would not be so liable to be chafed in wet weather.

Miscellaneous uses.

Magazines, if lined with that wood, would be less damp than sometimes it is found to be; and I apprehend it would have similar advantages if the bread-rooms of ships were built of that wood.

Convicts who from their crimes have forfeited their labour to Government might be employed in preparing any quantity of those articles.

I have, &c.,

JOHN HUNTER.

* Hunter was in charge at Sydney when these officers arrived, and it was he who refused to allow them to enlist recruits until the decision of the Secretary of State was known. He was subsequently informed by the Duke of Portland that he was right in this action, and that permission could not be granted, as it was "conceived that, upon the whole, the inconveniences of such a plan would more than balance its advantages." Vol. iii., pp. 66 and 201.

1802 GOVERNOR KING TO COMMISSARY PALMER. (King Papers.)

24 March.

Memo.

24th March, 1802.

Peculation
on the Cum-
berland.

THERE appearing a deficiency of 18 bushels of wheat on the Cumberland's first cruize to Hawkesbury, and 14½ on the last, you will stop the amount of those deficiencies against the pay of the master and the two men that receives wages on board that vessel.

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.* (King Papers.)

Sydney, New South Wales,

29 March.

My Lord,

29th March, 1802.

The Lady
Nelson.

The vessel in which L't McKellar takes his passage, not being ready to sail before to-morrow, enables me to inform your Grace that the Lady Nelson returned here on the 23rd instant, having been absent five months executing the service I had the honor to inform your Grace of in a former letter. With this I transmit Acting-L't Murray's journal, and copies of his charts of discoveries he has made in the straits that separate New Holland from Van Dieman's Land, and although the bad weather and contrary winds he met with has prevented him from executing the orders he sailed under so fully as might have been wished, yet I hope his survey of the east and north coasts of King's Island, lying in the center of the west entrance of the straits, and having described another very noble and spacious harbour (Port Phillip) within the straits, which are both so fully described in his journal and the charts, with the other objects of his researches, will serve to assure your Grace that no time has been lost in putting His Majesty's Instructions on that behalf into execution; and as Mr. Murray, who has served eight years in the Navy, and passed for a lieutenant, has acquitted himself very much to my satisfaction and, I trust, to the public advantage in what he has done, I hope there will be no impropriety in my respectfully requesting your Grace's recommendation for his being confirmed as a Lieut't in the Royal Navy, and appointed to the command of the Lady Nelson.

Acting
Lieutenant
Murray's
discoveries
in Bass
Strait.

Port Phillip.

King's
eulogy of
Murray.

An
incomplete
survey.

A service-
able chart.

I am sorry the vessel's sailing so soon prevents those surveys being connected with the other parts of the straits; but if the charts and journals now sent, and those constructed before the Lady Nelson's return, are put into the hands of Mr. Dalrymple, hydrographer to the Admiralty, a chart sufficiently correct may be compiled therefrom for present purposes until further discoveries are made, which chart will be of the utmost service to ships coming here from England.

* A letter of similar purport was also sent by Governor King to Secretary Napier, of the Admiralty.

[Facs

John Black & Co. 1808

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I have sent the accompanying packet to the secretary of the Admiralty, which I have left open for your Grace's perusal.

1802

The Lady Nelson continues in excellent condition, and only wants a partial caulking and new sails (the latter of which I shall hardly be able to supply her with for the want of canvas) to proceed on further service.

29 March.

Condition of the Lady Nelson.

This detention also gives me an opportunity of informing your Grace of the Colonial schooner's return from Norfolk Island on the 25th instant. A copy of the L't-Govr's public letter and returns I have the honor to enclose, by which you will observe the great success the South Sea whalers have had off Norfolk Island and New Zealand.

The whaling industry.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Proclamation.

2nd April, 1802.

2 April.

WHEREAS two attempts have lately been made to revive seditious meetings composed of those deluded people sent to this country for the commission of the most diabolical crimes, resulting from the anarchy and confusion aimed at by their silent and concealed employers. And whereas the punishments inflicted on those who were implicated in the design of subverting all order, and attempting a general massacre of those who might resist their intentions during the year 1800, in this colony, not having been sufficient to prevent a few turbulent characters from renewing their former attempts, it appears necessary to remind the inhabitants of this colony of the existing laws for the prevention and punishment of sedition, viz. :—

Sedition.

By the 36th of George III, chap. 8—"No meetings of more than fifty persons (in this colony twelve) to be holden; such meetings without permission and public notice will be deemed unlawful assemblies."

Unlawful assemblies.

"If twelve or more persons (two in this colony) who may have assembled contrary to this Act, shall continue together one hour (in this colony half-an-hour) after having been required by a magistrate to disperse (or in this colony any person of the description of a free-man), they shall suffer death."

By the 37th George III, chap. 123—"If any person shall administer, or cause to be administered, or to be present at and consenting to the administering, or taking any oath, purporting to bind the persons taking it to engage in any mutinous or seditious purpose, or to disturb the public peace, or to be of any association formed for any such purpose, or to obey the orders of any committee or body of men not lawfully constituted, or of any leader or other person not having authority by law for that purpose,

Seditious associations.

- 1802**
2 April.
Penalties. or not to inform against any associate or other person, or not to discover any unlawful combination, or any illegal act or oath done or to be done or taken, shall on conviction be adjudged guilty of felony, and be transported" (besides which in this colony shall receive a corporal punishment of 1,000 lashes, and the gaol gang during their term of transportation).
- Compulsion no justification.** "Compulsion shall not justify any person taking such oath, unless he shall, within four days" (in this colony one day) "after taking it, declare the same, with the whole of what he knows touching the same, together with the persons who were concerned in or present at the administering such oath." This information to be given to the nearest magistrate or other officer.
- Consenting parties.** "Persons present at, assisting in, or consenting to the administering such oaths shall be deemed principal offenders.
 "Any engagement in the nature of an oath, in whatever manner taken or entered into, shall be deemed an oath."
- Tampering with the soldiery.** By the 37th Geo. 3, ch. 70—"Any person who shall attempt to seduce any person serving in His Majesty's forces from his duty and allegiance shall suffer death without benefit of clergy."
- A local law.** Exclusive of the above, it is hereby ordered that if any person or persons shall use words or actions of a seditious tendency they are immediately to be apprehended, and, upon conviction, will suffer the most exemplary punishment. And if any person hearing such words or seeing such action tending to sedition shall not immediately inform the magistrates, or nearest officer in command thereof, they will be punished as accomplices in such practices.
 Any houses wherein such meetings may take place will be rased to the ground.
- Two conspirators detected.** B——n C——l and J——n C——y, two of the deluded people mentioned in the above proclamation, having been detected as active promoters (under the direction of persons at present unknown, but not unsuspected) of attempting to get together a number of offensive weapons for the most destructive purposes, and having been detected in seditious conversation, tending to the destruction of government, order, and humanity, they are ordered to receive 500 lashes each, in equal proportions, at Sydney, Paramatta, and Toongabbee, and confined in the gaol gang during the remainder of their term of transportation, an example which, it is hoped, will deter others from committing those crimes.

God save the King.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

2nd April, 1802.

Cedar on the Hawkesbury It having been represented to the Governor that some of the settlers at the Hawkesbury are making a traffic of the cedar growing on or about that river, he strictly forbids any cedar being

cut down but by his particular permission to the officer commanding at that place; and if any cedar logs or planks are brought from any part of that river to any other settlement without the Governor's permission, such logs or planks will be seized for the purposes of Government, and the boats or carts containing them confiscated to the public use. 1802
2 April.

The time of granting certificates to those whose terms of transportation are expired is necessarily deferred till after the seed-time is over, when further notice will be given thereof. Certificates
of freedom.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

8th April, 1802. 8 April.

THOSE male and female prisoners who have served their terms of transportation, and are victualled from the stores, will give in their names, and the ships they came in, to the Secretary's Office at Sydney; the Rev. Mr. Marsden, at Parramatta; C. Grimes, Esq., at Toongabbee; and T. Arndell, Esq., at Hawkesbury; on or before Thursday next, the 15th instant, informing whether they wish to go off the stores. The lists will be transmitted to the Governor's Secretary, when orders will be given accordingly. Expirees.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Proclamation.

9th April. 9 April.

WHEREAS great confusion will occur hereafter in ascertaining the boundaries of the allotments of lands granted to individuals, owing to the smallness of the scale on which they have hitherto been delineated, and the different hands through which the writings have passed (many of which are totally effaced), and many allotments being partially or totally connected together by the verbal agreements of the possessors, which must in a short time cause that confusion and litigation which it is so necessary to provide against, as well for the present and future interests of the colony as for securing to each person the property he has acquired or become possessed of. Land titles.

On this consideration I have judged necessary to direct the surveyor to delineate separate plans of the allotments of land granted in each district, agreeable to the boundaries described in the registers, on the scale of a mile to an inch. These plans will accompany the general chart of the settlements, directed to be sent to the Secretary of State, copies of which will be kept in the Secretary and Surveyor's offices. And it is likewise recommended Plans to be
prepared.

1802

9 April.

Plans to
show par-
ticulars of all
allotments.

to individuals to obtain from the Surveyor a copy of the grounds allotted, or held by grant, which they are possessed of. And as these plans, and the registers, will ever be resorted to for settling all disputes or litigations respecting the boundaries of such lands, the roads by which the possessors have access to their different settlements, and to water, either for their domestic purposes, or to the sides of the nearest navigable creeks, or banks of the harbour, rivers, &c., it is necessary that these several objects should be all clearly defined, for which purpose the Surveyor is directed to give a week's notice of the districts in the order that he delineated the allotments therein, that individuals may (if they are ignorant of their boundaries, or that it appears other farms have been measured into them), attend the Surveyor, who is directed in such cases to re-trace the boundary lines agreeable to the description contained in the register of the grant. And it is to be clearly understood, that no revision of those allotments will hereafter be allowed of, as the original register and those plans must definitely settle all disputes and litigations that may hereafter arise thereon, and of which the Courts of Justice, magistrates, and all others concerned, are to take notice and conform to, agreeable to the tenor of this proclamation.

God Save the King!

Sydney and
suburbs.

Notice.—The Surveyor will proceed to delineate the different allotments of ground held by grant in the districts of Sydney, Bullanaming, and Petersham Hill, on Monday, the 19th instant.

The execution of the prisoner under sentence of death, that was to have taken place to-morrow, is countermanded until further orders.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

Proclamation.

12th April, 1802.

12 April.

Searching
for arms.

WHEREAS, in consequence of the unsuccessful attempts that have been made by certain desperate characters to stir up tumult and confusion, I have judged it necessary to direct a general search throughout the dwellings and other premises of the inhabitants of this colony, this day, at seven o'clock in the morning, for the discovery of all offensive weapons.

One musket
allowed each
settler.

These are therefore to require the magistrates to proceed to that search with all possible diligence, taking all the arms (except those belonging to the regiment), which they may find in the towns of Sydney and Parramatta, leaving one musquet in each settler's possession, which they will insert in a list, together with all other arms found.

As the officers houses and barracks have been exempted from this search, they, as well as those whose premises have not been searched, are required to deliver lists of the arms and other offensive weapons they or their servants are possessed of, to the Governor's Secretary on or before Saturday next, the 17th instant.

1802

12 April.

Officers' barracks excepted.

God Save the King.

PHILIP GIDLEY KING.

CAPTAIN BROOKS TO COMMISSIONERS OF TRANSPORTS.

Atlas, at the Cape of Good Hope,

Gentlemen,

14th April, 1802.

14 April.

I have to inform you of my arrival here yesterday, after a passage of forty-nine days from Rio Janeiro. On the 3rd of March, at 2 a.m., the convicts on board made an attempt to seize the ship, and put the whole of the officers, sailors, and soldiers to death had they succeeded, but from the great precautions I had taken, and the strict look-out from my officers, sailors and soldiers, put it totally out of their power. At this time I could not imagine the reason of most of the troops being taken ill, having only a serjeant and four privates fit to do duty. After flogging several of the ringleaders, and double-ironing them, one of the chiefs came forward and informed me that poison was bought at Rio, and that it was intended to poison the soldiers first, and then take the ship and carry her to some part of America. I have every reason to suppose that the poison was conveyed into the soldiers coffee kettle by one of the convicts, as it effected no other persons. A few days after my doctor fell sick, and I therefore determined to shape my course for the Cape to obtain some medical assistance, and to give the sick troops a few days on shore, at the same time to procure a supply of bread as we began to grow short, owing to the quantity damaged by the very bad weather we experienced on our first sailing from Ireland. Ever since our sailing from Cork we have had a disorder called dysentery, which has carried off a number of the convicts, but I am happy to add that those remaining are getting more healthy. The number who have died on board is twenty-two men convicts, and one woman; a serjeant and a serjeant's wife died from the poison.*

Mutiny on a transport.

An attempt to poison the crew and guard.

Put in at the Cape.

I am sorry to report the ill conduct of Mr. Jamison. Having a few days before I left Rio been obliged to order two men out of the ship who were then in the lower cabin on the point of purchasing goods from him of all kinds, which were taken on board as his cloathing, he seemed to be much hurt at the time.

A quarrel on board ship.

* In regard to the mortality on this vessel, see Surgeon Walker's letter to the Transport Board, of 8th July, 1802, post, p. 798; Governor King to Captain Brooks, 3rd August, 1802, post, p. 806; and Surgeon Jamison to Lord Hobart, 8th November, 1802.

1802
14 April.

The day after he came on board late in the evening intoxicated, and abused my officers, at the same time made use of that horrid kind of language which I was not accustomed to, and forced me from my bed when laying ill on the quarter deck, which caused a fight. He has also behaved very ill to the two women passengers. Every indulgence that was possible was done for him. We had some altercation before we sailed from Cork, because I would not take more goods on board. I told him my orders from Capt. Rains was not to exceed more than two tons, and by some means or other he has got on board near five tons, which I will send you the measurement of in my next letter.

Three of our convicts while at Rio got off.

I remain, &c.,

RICHD. BROOKS.

P.S.—I expect to sail from this on the 17th.

THE RIGHT HON. C. F. GREVILLE TO SIR JOSEPH BANKS
(Banks Papers.)*

Dear Sir Jos.,

Barrallier's
account of
his explora-
tion.

I am much better. I have translated all in Barrallier's letter, which, from reading Paterson's letter to you, I think may be worth your perusal. I also send a letter this day received from Gov. King, by which you will see that Barrallier did not show attention to me without leave, which you suspected when the parcel was first opened. He has not a correspondant but myself and his father, and is not acquainted with any of his countrymen. After the evacuation of Toulon he remained in Italy till 1811. Spencer sent for Barrallier's family to join him in England, giving them a passage, and during his residence here it was at Sheffield. I hope, therefore, you will not disapprove of my pushing him on, as he conducts himself well and does not appear unfit. We shall judge more from his present occupation, as he informs me he was to be from 4 October to the middle of May employed in finishing the survey of Hunter River and its environs, and the coast from Western Point as far as he could in the time prescribed. I suppose he will fall in with Flinders and return together, or at all events they will meet at headquarters in May. I think Flinders mentioned the end of Apl. being the time of his expected arrival at B. Bay, and December for his arrival on the N.W. coast of N. Holland.

Barrallier's
ante-
cedents;

Greville's
private.

Hunter
River and
Western
Port.

Flinders's
voyage.

Yours, &c.,

C. F. GREVILLE

* Not dated, but evidently written in 1802, before Barrallier's expedition to the mountains. A fac simile of this letter is given, on which it will be noticed that at the foot of the front page, and on the left-hand side of it, occurs a date, "April 15." This is in the handwriting of Sir Joseph Banks, and as the letter bears no mark of having been through the post it may be presumed that it was delivered by hand, and written on the same day as received, viz. 15th April, 1802. The information contained in the enclosure is practically identical with Paterson's and Grant's accounts of their exploration of the Hunter and Paterson—ante, pp. 404 and 448.

1

GOVERNMENT AND GENERAL ORDER.

1802

17th April, 1802.

17 April.

THE Orders of June 1st, 1801,* being disobeyed by several individuals who have been allowed to take prisoners off the stores, notice is once more given that if any person to whom the labour of prisoners is assigned do let them be on their own hands, turn them over to any other person, or let them out for hire, they will on conviction incur the fine directed by the above Order, and other notice will be taken thereof, according to their situation ; and any prisoner thus assigned, who does not give himself up to Government labour if the person to whom he is assigned cannot maintain him, or allows him to be on his own hands on any consideration whatever, will receive 100 lashes and remain in the gaol gang for 12 months.

Assigned convict servants.

A search for arms having taken place, and a number of extra musquets, &c., found among settlers, and several in the possession of those who have no occasion for them, it is to be understood that those who retain arms (which are registered) are to be accountable for them, and every person who gives or exchanges his arms, or allows any to be taken from them, without acquainting the nearest magistrate or officer in command thereof, will receive the most exemplary punishment as conspiring against the peace of this colony.

Arms in possession of civilians.

A pike, completely finished, being found in the possession of two known rebels to the King's authority, exclusive of the handles, made by B——n C——l, notice is hereby given that if any person hereafter is found with any weapon of that kind, the security of the colony will require the instant execution of every one concerned in the making or concealment thereof. And, as there is much reason to suppose that many other weapons of that kind are concealed, a pardon and the most desirable reward will be given to the discoverers.

A pike discovered.

PHILIP GIDLEY KING.

THE RIGHT HON. C. F. GREVILLE TO ———.†

Dear Sir,

23rd April, 1802.

23 April.

I find that the confirmation of Governor King's appointment of Ensign Barrallier as Engineer to the colony of New South Wales rests with Lord Hobart, who officially notifies to the Board of Ordnance the appointment, and his desire that he, Barrallier, should be put on the establishment.‡

Ensign Barrallier.

* Ante, pp. 379 and 380.

† There is nothing to indicate to whom this letter was addressed. Apparently, however, was intended for John Sullivan, Under Secretary at the War Office, over which Lord Hobart presided.

‡ Barrallier was appointed an Ensign on 14th August, 1800.

1802 In reference to the period of Gov'r Philip, you will find the first appointment of an engineer, an officer of marines was then named who was with Capt. Hunter, and for some reasons I do not know the Gov'r would not issue the appointment to that officer. When Gov'r Hunter succeeded, he repeatedly desired an engineer to be sent, and an acting engineer, Capt. Abbot, was appointed by Gov'r King; but Gov'r Hunter, as well as Gov'r King, considered Barrallier as the only one in the colony qualified or regularly educated as an Engineer and Artillery Officer, and he has been employed in that as well as surveying ever since he went out with Gov'r King. The resignation of Capt. Abbot enabled the Gov'r to appoint Barrallier, and it rests with Lord Hobart to report him to the Ordnance as part of the establishment.

23 April. The appointment of Engineer.

Barrallier's qualifications.

Patronage of the Corps. The patronages of the [New] South Wales Corps being in the Commander-in-Chief, I thought the engineer also would be so. The enclosed,* however, clears the point, and I hope the disposition of L'd Hobart will be as favorable as that of His Royal Highness.

Sir Joseph Banks's opinion. I understand that the [New] South Wales Corps will be sent to India.† Of course Barrallier must have a change of commission, and stick to the colony. I have conversed with Sir Jos. Banks, whose zeal for the colony has been unremitted, and I am glad he thinks it will be better for Barrallier, and for the colony, that he should remain there.

Relief of the Corps. It is no doubt a good measure to move the Corps. For obvious reasons and past experience the military should be relieved, and the present experiment I dare say will answer.

Governor Hunter's claims. I am in hopes that Gov'r Hunter, who has lost his patron by the death of Lord Howe, may have his retirement made comfortable as Gov'r Philip by half-pay of Gov'r. I have no connexion with him, but I know he had a difficult situation, and from the changes of office this point may require communication of L'd Hobart with L'd Pelham, and it will require the disposition you possess to do good to combine their decision on his pretensions to consideration.

I am, &c.,

C. F. GREVILLE

SECRETARY NEPEAN TO GOVERNOR KING. (King Papers.)

5 May.

Sir,

Admiralty Office, 5th May, 1802.

John Murray.

I have received and communicated to my Lords Commissioners of the Admiralty your letter to me of the 22nd August last, inclosing the passing certificate‡ of Mr. John Murray, serving

* The enclosure is missing.

† In this Mr. Greville was wrong. The Corps was recalled in 1806, and replaced by the 73rd Regiment. Upon its return to England it appears to have been principally employed in Ireland. In 1812 it was despatched to the Bermudas, and in 1814 was actively employed in North America. It was finally disbanded on 24th March, 1818.

‡ Ante, pp. 505, 604.

as mate on board the Lady Nelson, surveying vessel, and recommending him to their Lordships' favour for promotion; and I have their Lordships' commands to send you the copy of a letter which I have received from the Navy Board, pointing out the imposition attempted to be practised in his report of service; and to acquaint you that they will not, in consequence, give him a commission, nor will they allow him to pass for an officer at any future period.

1802
5 May.

I am, &c.,

EVAN NEPEAN.

[Enclosure.]

Sir,

Navy Office, 2nd April, 1802.

In answer to your letter of the 29th ultimo* we send you herewith, for the information of the Right Honourables the Lords Commissioners of the Admiralty, a certificate† of the servitude in the Navy of Mr. John Murray, by which it will appear that he has not served six years on the 8th July, 1800, when he passed his examination for a lieutenant at the Cape of Good Hope.

Acting-Lieutenant Murray's services in the Navy.

By his passing certificate, which is herewith returned, it is set forth that he served in the Duke from the 9th June, 1789, to the 2nd December, 1789; but we must observe that the Duke was not in commission in 1789, neither is he found on her books from the 10th August, 1790, to 20th August, 1791, when she *was* in commission; nor is he borne in the Duke while she was in ordinary, which time, even admitting he did belong to her, would not have been allowed towards the regular servitude of six years.‡

An erroneous statement.

We are, &c.,

H. DUNCAN.

J. HENSLow.

B. TUCKER.

GOVERNMENT AND GENERAL ORDERS.

7th May, 1802.

7 May.

FROM delay or accident attending the expected arrivals of salt meat, and the very reduced state of the salt provisions remaining in the stores, it is become absolutely necessary that a further

Scarcity of salt provisions.

* Not available.

† This certificate is not available. The incorrect one furnished by Murray will be found on p. 505, ante.

‡ The result of this communication from the Admiralty to Governor King was the suspension of Murray from the command of the Lady Nelson, the master's mate of the Glatton (George Courtoys) being appointed to fill the vacancy. In his acknowledgment of the receipt of Secretary Nepean's letter, King stated that Murray was returning to England in the Glatton, and had informed him that he (Murray) was in a position to amply vindicate his character from the charges levelled against him.

1802 reduction should be made in the ration of salt meat, which, the
 7 May. Governor has every reason and assurance to hope, will not be of long duration, viz :

The reduced ration. To all males now victualled, one pound ten ounces of salt pork per week, three pounds of maize, and three ounces of sugar (women and children in proportion) will be issued, in addition to the full ration of grain and sugar. At such times as fresh meat can be killed, it will be issued in the proportion of one pound and a quarter, in lieu of one pound of salt pork.

It is recommended to officers and others who possess stock to cease drawing the ration of animal food until supplies arrive.

The Commissary is directed to receive maize, well dried, into His Majesty's stores at Sydney and Parramatta.

PHILIP GIDLEY KING.

DR. BLANC TO LORD PELHAM.

9 May.

My Lord,

9th May, 1802.

Fitting the
 Glatton.

In compliance with your Lordship's directions to Count Rumford and myself, we repaired to Chatham, accompanied by Mr. Graham, Inspector of Convicts, in order to point out such methods of fitting His Majesty's ship, the Glatton (now under repair at that port, and destined to convey convicts to New South Wales), as might most effectually conduce to the health of those persons during the voyage, and prevent the infectious sickness which has on former occasions proved so fatal to them on their passage to that part of the world. We were engaged on this service during the 6th instant ; but the Count having on the 8th left this country, and having had nothing to suggest on the peculiar subject of his studies (the time being too short to admit of innovations in the fireplaces), it falls to my lot to make the report of our mission.

Impure air.

I need not mention to your Lordship that the principal cause of those epidemical diseases which occasionally arise on board of ships is the frequent breathing of the same air, and the stagnation of the breath and other effluvia of the living human body, which in time generate the poison of febrile infection, and that the preservation of health depends on the constant removal of such effluvia, and the perpetual renewal of fresh air.

Ventilators.

Various ingenious contrivances have been invented for effecting this end, such as ventilators upon different principles. Some of them are well adapted for the purpose ; but it is a solid practical objection to them all that the operation of them depends on the constant attention of officers, many of whom, being either not impressed with a conviction of their utility, or their minds being occupied with those more urgent duties which belong to the

management of a ship at sea, do not enforce the regular working of ventilators. Accordingly, none of the moveable mechanical contrivances for renewing and sweetening air have been found duly to fulfil their intention.

1802

9 May.

The object to be aimed at, therefore, is to provide some method of supplying pure air, which shall not depend upon human attention, but shall constantly and necessarily operate of itself. This can only be attained by something permanent and fixed on the construction of those parts of the ship appropriated to the accommodation of the crew or passengers. The innumerable calamitous histories of the sufferings and mortality in ships of war, transports, and other vessels, from closeness and crowding, call for the strictest attention to this branch of the service, and in no department so much as in the transportation of convicts, where the length of the voyage, the confinement necessary for safe custody, the requisite economy in conveying as many as possible in one bottom, and the vicious habits of these persons, all conspire to multiply the chances of generating infection.

The importance of supplying pure air.

The main difficulty in contriving methods for the due admission of fresh air consists in introducing it so that it shall not blow in currents upon the people, thereby not only destroying their comfort, but producing rheumatism, catarrhes, and inward inflammations of the most painful and dangerous nature.

The danger of draughts.

It is not, therefore, the throwing open of doors, windows, and port-holes, that constitute safe and proper ventilation, and hinder the danger of exposure to cold, the difficulty is farther increased in the present case by the necessity of reconciling the means of ventilation with safe custody.

Proper ventilation.

It fortunately happens that the most favorable situation for making apertures with a view to the expulsion of foul air is also the most advisable with regard to avoiding exposure, and for the security of those confined. It is the uppermost part of any apartment, whether in a ship or building, which at once affords the most ready issue to contaminated air (which naturally tends upwards) is the safest in point of exposure from the same tendency of such air to ascend, while partial and direct streams of air are the least likely to come in this direction; and it is the least exposed to violence in case of any attempts to escape, or any plans of insurrection.

Situation of the ventilators.

The apertures of this description may be either—1. Tubes proceeding from the deck over head. The simplest and best method for ventilating hospitals, prisons, and stationary hospital and prison ships, is by high tubes of this kind with cowls at top; but as this will not apply to a ship at sea, as it would interfere with the necessary motions of the ropes and sails, the next best and most practicable method must be adopted. That which I have found to answer best is a tube continued from an opening in the

Ventilation of hospitals, prisons, and ships.

1802 deck close to the side of the ship, and running up the side till it
 9 May. opens at the upper part of the gunnel. This has been found an excellent method of sweetening the air, not only in the hospital ships, but in all ships whatever, and many of the men-of-war are now provided with them. These tubes were first made in the Roebuck, hospital ship, fitted according to a plan furnished by me at the desire of the Navy Board, in the year 1788.

2. Scuttles cut in the side as near as possible to the deck overhead.

A judicious suggestion.

3. It has been judiciously suggested by Mr. Graham to take up some of the planks amidships in the upper and middle decks between the fore and after hatchways, to leave this open and secure it from the weather by a sort of roof, in the manner of a companion, as it is called, the dependant part of which should sufficiently overlap to exclude the rain in the weathers, and yet be sufficiently distant from the deck to allow the free ingress and egress of the air. These openings should also have coverings, which should be made several inches high, in order, not only to prevent the flowing in of the rain water, but to combine with the covering in excluding the driving rain, for the whole should be so calculated that it shall never be necessary to shut it up in the worst weather that can possibly occur.

This space should be inclosed with an iron rail in the manner explained to the builder on the spot.

These methods are all highly salutary, practicable, and applicable to the present case. The dimensions and other detail of the construction of the several parts were pointed out to the master-builder, whom the Commissioners politely ordered to attend to receive our directions.

Ventilators amidships.

The openings amidships will be so extensive that it might be supposed at first sight that they alone would be sufficient. They probably would be so were there but one deck, but since in the present instance there is some drawback to the salutary effect of this contrivance by the foul air from the two decks intermingling, this inconvenience requires to be corrected by counter openings at the sides. This more particularly applies to the lower deck, where there are no ports, and where the weather will occasionally be such as to render it necessary to shut up the scuttles. Two of the tubes, therefore, which have been described, should be cut on each side in order to improve the ventilation of the lower deck. The middle deck is so much nearer the open air, and possesses such superior means of ventilation, especially by the ports, that no tubes seem necessary here, except one in that part appropriated to an hospital.

Tubes.

A hospital to be constructed.

I beg to recommend that on the after part of one side of the deck appropriated to males, twenty feet fore and aft be set apart for an hospital, to be duly separated by bulkheads both from the ship's company and from the convicts in health. In order to

compensate for this additional closeness, and in order to afford that superior airiness which ought to belong to an hospital, two air-tubes at equal distances from each other and from the bulkheads should be constructed, exclusive of the two which have already been recommended for the part allotted to those in health; and in the middle deck, which it is proposed to appropriate to females, of whom there will be a smaller number than of the males, I beg to suggest that on the after part of one side, twelve feet fore and aft be set apart and divided in like manner for an hospital, but with only one air tube. Necessaries should be cut in the sides where this can be done with safety; the lower deck will probably not admit of this.

1802
9 May.

Ventilation
of hospital.

On account of the boisterous weather which may be expected in the higher latitudes of the southern hemisphere, every precaution will be necessary in order to insure dryness, this being extremely essential to health. With this view I would recommend that four or five of the foremost ports should be caulked in, and that the rest should be fitted with a rabbit, or projecting bit of wood to overlap a little when the port is shut. This has been known to produce perfect tightness, and to prevent the oozing of water when the ports are shut in high seas. With respect to the numbers that can be accommodated, we have calculated that besides the ship's compliment, consisting of 160 officers and men, 400 can be carried with safety and ease, and if the means of ventilation that have been suggested should be carried into execution, and there should be no other passengers, 45 or 50 more might be very properly accommodated.

Unfavour-
able
weather.

The number
of convicts.

I shall hereafter have the honor of addressing your Lordship respecting the victualling, clothing, and medical treatment of these unhappy persons, judging it most advisable to conclude this letter here, in order that no time may be lost in equipping the ship for the intended service.

I have, &c.,

GIL'L BLANC.

COMMANDER FLINDERS TO THE ADMIRALTY.

H.M.S. Investigator, Sydney Cove,

Sir,

11th May, 1802.

11 May.

I have to inform my Lords Commissioners that His Majesty's ship under my command, having refitted, and taken in such supplies at the Cape of Good Hope as she required, and as could be furnished by the Commander-in-Chief, sailed from False Bay on Nov'r 4th last, and keeping between the parallels of 36° and 38° south until drawing near the coast of New Holland, we made the south-west cape of Lewin's Land on Dec'r 6th, where I commenced the survey of the south coast. We arrived at King George's Sound on the 9th, and after ascertaining that there was not sufficient water for the Investigator to go over the bar into

The Investi-
gator at the
Cape.

Arrives at
Lewin's
Land.

1802
11 May.
 Examining the coast.
 Oyster Harbour, we wooded, watered, and refitted in Princess Royal Harbour. Of these harbours and sounds I made a survey, and the neighbouring country was examined by the men of science. A friendly communication was held with the natives, and we sailed on Jan'y 5th, 1802, prosecuting the survey of the coast. On the 9th we entered the Archipelago of D'Entrecasteaux, where the examination of Captain Vancouver terminated, and passed through the middle of this most dangerous cluster of islands and reefs, which extend $2\frac{1}{2}$ degrees along the coast. We anchored here in Bays No. 1 * and 2, † which will be mentioned hereafter, and proceeded along the coast, finding it to trend as laid down in the chart of D'Entrecasteaux.

The Great Australian Bight.
 The point whence the land trends to the southward of west on one side, and to the southward of east on the other, forming the great gulph or bight of New Holland, lies in latitude $31^{\circ} 28'$ south, and longitude $131^{\circ} 25'$ east. We passed this on Jan'y 27th, and came to an anchor in No. 3, ‡ a bay in the main land near it, passing through some small islands and reefs which lie a little to the westward.

The islands of St. Francis and St. Peter.
 From D'Entrecasteaux Archipelago to this bay no inlets, bays, or places of shelter were found, the coast being destitute of any bights or inlets (that bight forming the head of the great gulph excepted), and scarcely an inlet or rock lies off the shore. From this bay eastward the windings of the shore form a constant succession of bights and bays, and a number of islands lie scattered at different distances along the coast. The western of these islands I suppose to be the Isles of St. Francis and St. Peter, discovered by Nuyts§; but the archipelago extends to the longitude of 138° , the last island being of more than 70 miles' length, affording various places of shelter, and abounding with kangaroos of a large size, and with the emu. The coast near this island forms itself into two inlets extending 180 and 90 miles into the interior, but no streams of fresh water come into them.

Kangaroo Island.
 From No. 3 bay to the large island, which is called Kangaroo Island, many places affording secure shelter were found, both amongst the islands and in the main, in one of which (No. 10 bay)|| we wooded and watered the ship.

Having been constantly opposed by foul winds after leaving No. 3 bay, and been detained by the examination of this most interesting part of the south coast, we had not left Kangaroo

* This bay, in which Flinders anchored on the night of the 9th January, he called *Lucky Bay*, a name it still retains.

† Bay No. 2 Flinders called *Goose Island Bay*. It is situated on the northern side of *Middle Island*.

‡ *Fewler's Bay*.

§ It is surmised that these islands were so called, one of them to commemorate the name of their discoverer, *Pieter Nuyts*, and the other that of his captain, *Franchols Thym*, in the year 1627.

|| *Port Lincoln*.

Island before April 7th, when we made the best of our way to the southernward along the coast, beating against the same easterly winds as before. 1802
11 May.

On April 10th, in latitude $35^{\circ} 42'$ south, and longitude $139^{\circ} 10'$ east, I met with the French national ship *Le Géographe*, which had come from Basses Straits, and was proceeding westward in her examination of the coast of New Holland. Captain Baudin informed me that after parting with the *Naturaliste* in the strait in a heavy gale he had had fine weather, and had kept the coast close on board from Western Port to the place of meeting with us, but that he had found no bay or place where a vessel could anchor, the coast having but few bights in it, and those affording nothing to interest. *Le Géographe.*

On parting with *Le Géographe* our examination of the coast was continued to the latitude 38° and longitude 141° , but after passing a point in that situation, a gale came on from the south-westward, and obliged us to push on for Bass's Straits, without attending minutely to the formation of the coast, which from its south-easterly direction being still continued it was with difficulty we could clear. On the west side of Bass's Straits I found a large island,* the north point of which lies in lat. $39^{\circ} 36'$ south, and longitude $144^{\circ} 14'$ east, being 16 leagues distant from the opposite part of the coast of New South Wales. The winds being unfavourable for examining the southern parts of this island, after landing upon the northern part I bore away and explored the main coast from near the westernmost part which we had seen in the gale to Western Port. In latitude $38^{\circ} 18'$ S. and longitude $144^{\circ} 45'$ east, I found an opening of something less than two miles wide, which led me into No. 16, a very spacious port, the termination of which was scarcely visible from the hills. This port, as well as the large island, I suppose to have escaped the examination of *Le Géographe*, but it appears that they had been previously visited by the brig *Lady Nelson* from this place, and called Port Phillip and King's Island. A friendly communication was held with the natives of Port Phillip, and the country round it was found to be beautiful and fertile. After a hasty examination I proceeded to Port Jackson, correcting the situations of several parts on the north side of Bass's Straits whilst running through it. *Bass Strait.*
King Island.
Port Phillip.

We arrived in the port yesterday, with the officers and crew—four men excepted—in good health; but I am sorry to add that in the entrance to the largest inlet,† the master of the *Investigator*, a midshipman, and six men, were unfortunately lost, with a six-oared cutter being upset at night. The wreck of the boat was found, but a search of several days brought us no intelligence of the crew. *The Investigator arrives at Sydney.*

* This was King Island, which had been discovered by Captain Black, master of the *Harbinger*, in January, 1801.

† Spencer's Gulf.

1802
11 May.
Charts.

The speedy departure of the ship by which this is sent does not permit me to forward a copy of the charts of the coast to their Lordships, but by the next conveyance I hope to have them completed, and that their Lordships will then find the examination of the coast from the south-west cape to beyond the place of meeting with the *Géographe* to have been conducted with so much care that very little further will require to be done there.

The consort of the *Géographe* I find riding in this port.

I shall proceed to refit H.M. ship with all expedition, and to execute the further orders of their Lordships.

I am, &c.,

MATTW. FLINDERS.

The positions of the principal places where the Investigator anchored are enclosed.

A small bay. No. 1. A small bay* on the main, within D'Entrecasteaux's Archipelago, affording shelter and water sometimes. Lat., 34° S.; long., 122° 23' E.

Note.—A smaller bay lies 1½ west of this which affords more complete shelter, and also wood and water.

Goose Island Bay. No. 2. Goose Island Bay, in the same archipelago, 4 or 5 miles from the main, affording shelter and wood and water sometimes. There is a lake here containing much salt. Lat., 34° 5' S.; long., 123° 19' E.

Fowler's Bay. No. 3. A bay† in the main affording shelter from all winds, those at S.E. excepted. Lat., 32° S.; long., 132° 39' E.

Petrel Bay. No. 4. A bay‡ on the north side of an island 6 leagues from the main, affording shelter. This island is frequented by great flocks of sooty petrels, and by geese at times. Lat. 32° 33½' S.; long., 133° 35' E.

Isles St. Peter. No. 5. An anchoring place in the north side of an island,§ 6 miles from the main; open to westerly winds. The island frequented by many petrels. Lat., 32° 21' S.; long., 133° 48½' E.

Waldegrave Island. No. 6. An anchorage place on the north side of an island,|| near the main. The island frequented by petrels and geese at times. Lat., 33° 23' S.; long., 135° 5' E.

Flinders's Island. No. 7. Anchoring place on the north side of an island,¶ 5 leagues from the main; open to north-westerly winds. The island inhabited by numbers of small kangaroos. Lat., 33° 41' S.; long., 134° 46' E.

* Lucky Bay.

† Fowler's Bay.

‡ Petrel Bay, on the north coast of the largest island of the Isles of St. Francis.

§ One of the Isles of St. Peter.

|| One of Waldegrave's Isles; the longitude, according to Flinders's chart, should, however, be 134° 44' east.

¶ Flinders's Island. Named by Flinders in honour of his brother, Samuel W. Flinders, second lieutenant of the Investigator. The position of the island, according to Flinders's *Terra Australis*, vol. 1, p. 124, is latitude 33° 41' south; longitude, 134° 27' 30" east.

No. 8. Anchoring place in the north side of an island,* in the entrance of the largest inlet, 5 miles from the main, affording shelter and wood, and perhaps water. The island inhabited by kangaroos. Lat., $34^{\circ} 56'$ S.; long., $136^{\circ} 16'$ E. 1802
11 May.
Thistle Island.
Memory Cove.

No. 9. Memory Cove, in the main,† open to the N.E., affording shelter for one vessel, and wood and water at some times; an inscription set up here which mentions the loss of the boat and people. Lat., $34^{\circ} 57\frac{1}{2}'$ S.; long., $136^{\circ} 9'$ E.

No. 10. A deep bay‡ in the main, affording shelter, wood, and water. The water pits at the head of the bay are in lat. $34^{\circ} 48\frac{1}{2}'$ S.; long., $135^{\circ} 55'$ E. Port Lincoln.

No. 11. Anchorage under one of a cluster of small islands§ in the largest inlet. Lat., $34^{\circ} 33'$ S.; long., $136^{\circ} 21'$ E.

No. 12. The largest inlet,|| in which the Investigator anchored frequently. Its head is frequented by ducks and swans, and is in lat. $32^{\circ} 25'$ S.; long., $137^{\circ} 56'$ E. Spencer's Gulf.

No. 13. Anchorage under Kangaroo Island, sheltered from all winds, and affording wood and generally water. The island abounding with large kangaroos. Lat., $35^{\circ} 42\frac{1}{2}'$ S.; long., $138^{\circ} 11'$ E. Kangaroo Island.

No. 14. The smaller inlet,¶ in which the Investigator anchored thrice. The entrance is sheltered by Kangaroo Island, and its head lies in lat. $34^{\circ} 8'$ S.; long., $138^{\circ} 19'$ E.

No. 15. Anchorage on the north side of King's Island, in Bass's Straits. The island is inhabited by kangaroos, womats [wombats], and emus. Lat., $39^{\circ} 37\frac{1}{2}'$ S.; long., $144^{\circ} 14'$ E. King Island

No. 16. Port Phillip, affording shelter, wood, and water. The port abounds with ducks and swans. The south point of entrance is in lat. $38^{\circ} 18'$ S.; long., $144^{\circ} 45'$ E. Port Phillip.

The whole of the islands abounds more or less with seals.

GOVERNMENT AND GENERAL ORDER.

11th May, 1802.

THE officers, civil and military, cultivating ground, are requested to give in an account to the Governor's secretary, on or before the 16th instant, of the quantity of wheat and maize in their possession, and the quantity they can spare to the public stores. Wheat and maize.

PHILIP GIDLEY KING.

* Thistle Island; so called by Flinders in honour of the master of the Investigator, John Thistle.

† To the north of Cape Catastrophe. Flinders gives the situation of this cove in his *Terra Australis*, as lat., $34^{\circ} 58'$ S.; long., $135^{\circ} 56\frac{1}{2}'$ E. It was while the Investigator was moored in this cove that the master, John Thistle, one of the mates, William Taylor, and six seamen were capized in one of the ship's boats and drowned. Flinders "caused an inscription to be engraven upon a sheet of copper and set up on a stout post at the head of the cove, which I named Memory Cove."—Flinders's *Terra Australis*, vol. i, p. 138.

‡ Port Lincoln, so named by Flinders, in honor of his native province.

§ Sir Joseph Banks Group.

|| Spencer's Gulf.

¶ Gulf of St. Vincent.

1802

LORD PELHAM TO THE TREASURY.

12 May.

My Lords,

Whitehall, 12th May, 1802.

A consign-
ment of con-
victs.

It being judged expedient to send forthwith from this country four hundred convicts to New South Wales (viz't, 270 male, and 130 female), I am to desire that your Lordships will be pleased to cause the necessary directions to be given to the Victualling Board for providing a sufficient and proper quantity of provisions for their subsistence during the voyage, and salted beef or pork only for nine months for them after their arrival at New South Wales. I am also to desire that your Lordships will cause the necessary directions to be given for providing the 270 male convicts the particulars of cloathing as undermentioned, to be con- signed to the Governor for the use of such convicts on their arrival at that settlement, and that the said provisions and cloathing may be put on board His Majesty's ship Glatton, which is now fitting at Sheerness for the conveyance of those convicts.

Clothing.

Free
settlers.

It being also intended to allow about forty persons to embark on board the said ship who are going as settlers to that colony, I am to desire that directions may be given for providing the usual quantity of provisions for such number during their voyage thither.

I am, &c.,

PELHAM.

1 blue jacket or waistcoat
1 p'r Russian duck trowsers
3 checked shirts

2 pair of stockings
1 pair of shoes
1 woollen cap.

LIEUTENANT ROWLEY TO CAPTAIN WATERHOUSE.

Kingston Farm, New South Wales,

14 May.

My dear Waterhouse,

14th May, 1802.

Private
letters.

Flinders arrived here on Sunday, the 9th inst. I was exceedingly happy to hear from you. You say you have wrote to me by almost every ship. I never rec'd but two letters—one about last June, and one now by Flinders. The first I answered by a ship of Lord's,* which sailed for the Cape last Nov'r, which I hope you will receive safe, but for fear it should not I will send the copy of it as near as I can; it contains all the news I could collect.

Water-
house's
private
business.

You have wrote to me about your concerns. I will most cheer- fully do anything to serve you. I am at a loss to know what to do with your mare. You are informed that she don't breed, but she do, and has a fine filly foal and should be in foal again. I have learnt her to draw as people may see she is useful, but there is no money; the stores removes the whole. I believe I shall not sell her till I hear from you again, except I could get a good chap for her. I received six sheep from Biggars about nine months ago; no increase since, but hourly expected. I sold one wether

* Simeon Lord. The vessel referred to was the *Anna Josepha*, laden with coals from the newly-formed settlement at the mouth of the Hunter River.

for £3 5s. The Governor's General Orders is 15d. p'r pound for mutton and 8d. p'r pound for pork.* Since that the butcher's shop is shut up; nobody has anything to sell. King and I are on very good terms. I believe the little time I commanded at Norfolk Island was so pleasing to him that he would be glad to serve me. Here is strange work: I was President of two General Court-Martials, and member of one, in less than a month—two on Bayley one on poor Piper. Both Piper and Bayley do not know how it is settled. Gov'r King will not approve of them. They are sent Home for His Majesty's approval.

1802

14 May.

King and
Rowley.

The colony is on a very short allowance—one pound ten ounces of pork p'r week, and not many weeks of that. The officers and families is all off the stores—no employment for them; the Croppies troublesome; a great many of the ringleaders is now in gaol, under orders to go on board the Porpois, supposed to be sent to Lord Howe Island, or some other island, to shift for themselves.

Short allow-
ance.

One of the French surveying ships is here. Flinders has got the start of them, as he has surveyed the south-west coast and they are bound there.

The French.

Bass has been here and is employed by King to go to some of the islands to cure pork. I think he will make a good job of it. There has been so many ships from England, India, America, &c., articles are wonderfully cheap. Leith and Wilkinson was greatly deceived. Liquor at 5s. p'r gallon, everything else in proportion.

Bass.

I made a purchase of Wilkinson's stock of 15 head of black cattle, 97 sheep, one mare foal, and one horse, Major Foveaux's farm as it was, and one hundred acres in the brush, and all for seven hundred pounds down. Cox offered eight hundred trust, but the ready money had the advantage.

A bargain.

Cox has been repairing the kitchen—weather-boarding it, &c. I will most assuredly attend to yours as much as I would to my own, and believe me to be,

Yours, &c.,

T. ROWLEY.

UNDER-SECRETARY SULLIVAN TO THE TREASURY.

Sir,

Downing-street, 14th May, 1802.

Herewith I transmit to you, by direction of Lord Hobart, an extract of a letter from Gov'r King, dated New South Wales, 21st August last, relating to Mr. Alt, together with a copy of the survey† held on that gentleman and of his memorial‡ therein referred to, and I am to request that you will lay the same before the Lords Commissioners of the Treasury, with Lord Hobart's recommendation that Mr. Alt may, in consideration of his long services and of his infirmities, be placed during the remainder of his life upon the half-pay of his appointment of Surveyor-General to the

Surveyor-
General Alt.

* See Government and General Order of 16th March, 1802, ante, p. 727.

† Ante, p. 340.

‡ Ante, p. 347.

1802 settlement of New South Wales. I am also to request that you will move their Lordships to cause an appointment to be made out for Mr. Grimes, the Deputy Surveyor of Norfolk Island, as Mr. Alt's successor in New South Wales, and that a proper person be sent out as Deputy Surveyor for Norfolk Island.

14 May.
Alt to be
succeeded
by Grimes.

I am, &c.,

JOHN SULLIVAN.

GOVERNMENT AND GENERAL ORDER.

14th May, 1802.

Duties of the police. THE constables are to take any prisoner into their charge and lodge them in the gaol until delivered by due course; and they are strictly forbid releasing any prisoner whatever whom they have taken or received in charge, but by order of the Governor, Lieutenant-Governor, or a magistrate.

Those prisoners whose terms of transportation will be expired on the 26th of May are to attend at the Secretary's office on Monday, the 31st of May, for their certificates.

A general
muster.

A general muster will be made about the 10th of July.

The Governor feels it necessary to remind those officers possessed of stock (who drew their ration of salt meat on Saturday last) of the convenience that leaving it in the public stores would be of at this time.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO SECRETARY NEPEAN.

H.M.S. Investigator, Port Jackson,
New South Wales, 15th May, 1802.

15 May.
Naval stores

Sir,
There being no naval stores or salt provisions to be procured in this colony but at the most exorbitant prices, and frequently not at any price, I have to request that their Lordships will be pleased to order that the following stores and provisions may be sent out by the first opportunity to this colony for the use of H.M. sloop under my command, in addition to the twelve months' provisions applied for by letter dated at Spithead, July 17th, 1801:—

required for
the Investi-
gator.

Boatswain's Stores.

Two 13½-inch cables.
One 8-in. stream cable.
Two messengers.
One 5-inch hawser.
One 22-cwt. bower anchor.
Two barrels of tar.
Forty gallons of black varnish.
One suit of sails, complete.
(The Investigator fitted at Sheerness).

Carpenter's Stores.

Linseed oil, 50 gall.

Provisions for 90 men.

Beef and pork for six months.
Pease do.
Spirits do.
Limejuice do.
Essence of malt do.
Mustard, in bottles do.
Essence of spruce do.
Molasses do.
Sour kroot do.

I am, &c.,

MATTW. FLINDERS.

COMMANDER FLINDERS TO GOVERNOR KING. (King Papers.)

1802

H.M.S. Investigator,

Sir,

Port Jackson, 18th May, 1802.

18 May.

Having before experienced the utility of the presence of one of the natives of this country in bringing on a friendly communication with the inhabitants of other parts of New Holland, I have to request that your Excellency will permit me to carry two of them in the Investigator during her future examinations of these coasts, if two proper persons (volunteers) can be found,* and also that they may be borne as supernumeraries for provisions upon the books of His Majesty's sloop under my command.

Aborigines
on the Inves-
tigator.

I have, &c.,

MATTW. FLINDERS.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

H.M.S. Investigator at Port Jackson, 20th May, 1802.

20 May.

I AM happy, Sir Joseph, in announcing to you the success of our voyage thus far, and scarcely less so to say that before we met the French national ship *Le Geographe* the most interesting part of the south coast of New Holland had undergone the examination of the Investigator, although we were not happy enough to have completed the whole of the before unknown part. Our meeting with Mons. Baudin took place in latitude $35^{\circ} 12'$ and longitude $139^{\circ} 10'$, so that 5 degrees of the unknown coast from Bass's Strait westward had been explored by him, but in this part he had found no ports, harbours, or inlets, or anything to interest, nor had he seen a large island, now called King's Island, which lies in the middle of the western entrance into Bass's Strait, and is 16 leagues from the coast of New South Wales. I continued our examination of the coast after passing *Le Geographe*, but a heavy gale which blew upon the shore made me glad to miss a small part of it, and we made King's Island, upon which we landed. After Mons. Baudin's account of the coast, it surprised me not a little to find in the mainland opposite this island a very large port; and more especially as he had had fine winds and weather to run along it. It seems, however, that from the narrowness of the entrance he must have missed this port and also King's Island; but yet we were not the discoverers of them, for on arriving here I found that they had been named and undergone a cursory examination by the *Lady Nelson*,† as well as a part of the 5 degrees of coast seen next by Mons. Baudin. His consort (*Le Naturaliste*) we find in this port, she having parted with *Le Geographe* during a westerly gale in Bass's Strait. Port Phillip is surrounded by a fine country, and our communication

Exploration
of the south-
ern coast.

Baudin and
Flinders.

Port Phillip.

Discovered
by Acting
Lieut.
Murray.

* King, under date 21st May, 1802, authorised the adoption of Flinders's suggestion.

† Lieutenant Murray, in the *Lady Nelson*, had discovered and named this port. He called it Port King; but Governor King gave it the name it now bears—Port Phillip.

1802

20 May.

Spencer's
Gulf.

with the inhabitants was friendly. Our greatest progress into the body of New Holland has been something less than 200 miles, and this by means of a great and very wide inlet, the utmost extent of which was fully traced, but it did not even end in a fresh-water river. My letter to the Admiralty will contain more information concerning what we did find, than I should chuse to trouble Sir Joseph Banks with.

Prevalence
of easterly
winds.

As was the case with Admiral D'Entrecasteaux, we were much opposed in our progress by easterly winds, from the time of passing his dangerous archipelago to past the situation of meeting *Le Geographe*, but from D'Entrecasteaux's Archipelago westward, and also within 3 or 4 degrees of Bass's Strait, westerly winds seem to be much the most prevalent. These foul winds and our detention in England favoured Mons. Baudin, or no part of the south coast would have been left for him to discover. As circumstances now stand I consider it to be fortunate that instead of passing along the coast cursorily, and going to Port Jackson to refit, that I made a very strict and minute examination of it; so that I fear but little to have any thing of importance found in the coast, or very near it. When the charts arrive you will better judge, Sir Joseph, how far the task has been well performed, and how far the good opinion which you have been pleased to entertain of my exertions is well placed. At these charts I am now labouring assiduously, in order to get copies transmitted to the Admiralty by this conveyance, but I fear the accomplishment. They will consist of the following:—

A minute
examina-
tion.Charts for
the Admi-
ralty.

The south coast of New Holland, from the S.W. cape of Leu-
wen's Land to Wilson's Promontory, upon a scale of 4 inches to
a degree of longitude. 5 sheets.

Particular survey of King George's Sound and its two harbours;
the scale 1 inch to a mile. 1 sheet.

Particular chart of D'Entrecasteaux's Archipelago; the scale $\frac{1}{2}$
of an inch to a mile. 1 sheet.

Particular survey of No. 10 bay; * scale $\frac{1}{2}$ an inch to a mile,
and sketches of the heads of the inlets, No. 12† and 14‡; scale,
 $\frac{1}{4}$ of an inch to a mile. 1 sheet.

A sketch of Port Phillip, upon a scale of $\frac{1}{2}$ an inch to a mile.
1 sheet.

Concerning these charts I shall take the liberty of writing to
Mr. Dalrymple§ to explain some circumstances relative to their
construction, which I hope he will not take amiss.

Explora-
tions of the
French.

As far as I have been able to learn, the operations of the French
have been confined to the north, the east, and south sides of Van
Dieman's Land, and to the west side of New Holland, from the

* Port Lincoln.

† Spencer's Gulf.

‡ Gulf of St. Vincent.

§ Alexander Dalrymple, Hydrographer to the Admiralty.

S. W. cape of Leuwen's Land to the Rosemary Islands of Dampier; but the large opening, where is the great rise of tide, Mons. Baudin denied having visited, or any of the more northern parts of New Holland. He expressed some surprise at meeting me, whom he knew by name, and observed that it was unnecessary for him to prosecute his survey, as the coast was now already done, and therefore he should come to Port Jackson when the winter weather set in. 1802
20 May.

In Governor King I find everything that can be expected, and from his assistance I hope to be ready for sea again in two months after our arrival, victualled and refitted for ten or twelve months. He thinks with me that to return to the southward at this season would be highly injurious to the ship and men, as well as to our general safety; and therefore, as well as that but little is left to be done there, we have determined upon the Investigator proceeding to the northward, and to the westward along the north coast, if the Gulph of Carpentaria can be examined before the month of November next, when the N.W. monsoon may be expected, and should it oppose our progress to the west there is ample employment in Torres Strait and at the Feejee Islands until the change takes place. This expedition, followed by a similar one, will, I hope, be fully sufficient to accomplish the purpose of the voyage. The Lady Nelson will accompany us. Governor King.
Exploration of the north coast.

I say nothing of our scientific gentlemen, Mr. Brown being so much better qualified to tell his own story than I am. It is fortunate for science that two men of such assiduity and abilities as Mr. Brown and Mr. Bauer have been selected; their application is beyond what I have been accustomed to see. The scientists.

With respect to our astronomical operations, I have given Dr. Maskelyne* some account of what we have been able to do in this department. We have not been idle, but from want of ability as well as of time, I fear that complaints will be made against me on this account. Astronomical research.

I hope Sir Joseph will excuse this straggling letter. It should contain more information of what has been done, and condensed into a smaller space, if the sailing of the ship by which our accounts in every department are sent Home, would allow of time for emendations.

With much respect, and a grateful sense of your many kind offices done me.

I am, &c.,

MATTW. FLINDERS.

P.S.—We have a flying report of a peace having taken place, which to naval officers is no very welcome intelligence, as far as concerns themselves; but I hope that the difficulty in obtaining promotion which usually follows a peace will not extend to the Investigator. Rumours of peace.

* The Astronomer-Royal.

1802
21 May.
Ships
entered
inwards
at Port
Jackson.

SHIPPING RETURNS.

A List of Ships and Vessels which have entered Inwards in the Harbour of Port Jackson, in His Majesty's Colony of New South Wales, between the 1st day of January 1802, and the 21st day of May following, with the particular quantity and quality of the lading of each vessel.

Time of Entry.	Ship's name.	Master's Name.	Built.	Tons.	Cans.	Men.	Where and when built.	Where and when registered.	Owner's name.	General cargo.	From whence.	Where and when land given.
— Jan.	Fly	— Turner	Foreign	200	24	100	Bombay ..	Bombay ..	H. E. I. Comp'y ..	.....	Bombay ..	.....
24 "	Harrington (snowy).	Wm. Campbell.	"	180	6	39	Calcutta, 1795.	Calcutta ..	Messrs. Chace & Co.	Ballast	Norfolk Island.	Sydney, 19 June, 1801.
18 Feb.	Margaret (brig)	Jno. Buyers ..	British.	121	10	15	1799	London ..	Turnbull & Co. ..	General merchandise	Coast of Peru.	19 Feb., 1802.
26 April	Naturaliste ..	E. Hamelin.....	Foreign	350	8	100	France	France	Republic	On discoveries, &c.	.....	.....
30 "	Speedy	Geo. Quested..	British.	313	0	24	London, 1779.	London, 1791.	Messrs. Enderbys	170 tons sperm oil ..	Coast whaling.	8 Jan., 1801.
9 May	Investigator ..	M. Flinders....	"	..	30	83	.....	London ..	H. M. Ship	On discoveries, &c., &c.	England ..	.....
10 "	Venus	B. Gardner	"	205	10	24	Dorsetford, 1788.	London, 1800.	Messrs. Champions	550 barrels sperm oil	Coast whaling.	10 Sept., 1801.
13 "	Briantia	Rt. Turnbull ..	"	301	6	94	C. of Dorset, 1783.	London, 1787.	Messrs. Enderbys	1,300 barrels do. do.	do. do.	27 Mar., 1801.
21 "	Arthur	Scott Thoker..	"	265	6	20	Somerset, 1801.	Providence	Brown & Co.	General merchandise	Providence	21 May, 1802.

PHILIP GIDLEY KING.

SHIPPING RETURNS.

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SHIPPING RETURNS.

A List of Ships and Vessels which have cleared Outwards from the Harbour of Port Jackson, in His Majesty's Colony of New South Wales, between the 1st day of January, 1802, and the 21st day of May following, with the particular quantity and quality of the lading of each vessel.

Time of clearing.	Ship's name.	Master's name.	Built.	Tons.	Guns.	Men.	Where and when built.	Where and when registered.	Owner's name.	General cargo.	Where clear'd out for.	Where and when bond given.
6 Feb.	Canada ..	Wm. Williams.	British	403	10	38	Newcastle, 1801.	London, 10th April, 1801.	F. & T. Hurry	Ballast ..	China ..	Sydney, 14 Dec., 1801
"	Nile ..	J. S. Sunter ..	"	322	10	30	"	"	"	"	"	"
"	Minorea ..	Jno. Leith ..	"	407	10	36	"	"	"	"	"	"
"	Fly ..	— Turner ..	Foreign	200	24	107	Bombay ..	Bombay ..	H. E. I. Company.	"	Bombay ..	"
20 "	Harrington (snow).	Wm. Campbell	"	180	6	40	Calcutta ..	Calcutta ..	Messrs. Chace & Co.	"	South'd, seal- ing.	Jan., 1802
20 Mch.	Schooner Caro- line.	St. Tuckerman	"	103	2	9	New Bedford	New Bedford	Swain & Co.	"	New Bedford	12 June, 1801
1 May	Nautilus ..	R. Simpson ..	"	60	14	19	Calcutta ..	Fort William	Rt. Berry ..	"	Eastw'd ..	22 Dec., 1801
18 "	Naturaliste ..	E. Hamelin ..	"	350	8	100	France ..	France ..	Republic ..	On dis- coveries.	—	8 Sept., 1801

PHILIP GIDLEY KING

1802

21 May.

Ships
cleared out-
wards from
Port Jack-
son.

1802 GOVERNOR KING TO MESSRS. TURNBULL, QUESTED, AND GARDINER.

21 May. Gentlemen,

Sydney, 21st May, 1802.

Questions to
navigators.

One of you having been two whalers' voyages to this coast, another having been a considerable time on the coast, and the other making his voyage, I have to request you will inform me of your opinion and answers to the enclosed queries, in replying to which you will use the maturest and most deliberate consideration.

I am, &c.,

PHILIP GIDLEY KING.

QUERIES by Governor King to Messrs. Turnbull, Qusted, and Gardiner, masters of the South Sea whalers *Britannia*, *Speedy*, and *Venus*, of London :---

Answers.

1st.

The route to
the South
Sea.

Which do you think the best way of getting into the South Sea, with respect to the wear and tear of your ships and the health of your crews, either by Cape Horn or by Van Dieman's Land ?

2nd.

The coasts
of South
America and
New
Zealand.

What difference is there in the weather on this coast and that of New Zealand, as far north as your present limits, and the weather on the opposite coast, in the same parallels of latitude ?

3rd.

A com-
parison.

What difference in time do you imagine there is in getting a voyage on this coast and New Zealand, or on the coast of Chili, Peru, Mexico, and California ?

4th.

The whale
fisheries

Do you think any advantage would attend the fishery by being allowed to go as far to the northward on this side the Pacific as you are permitted to go on the east side ?

5th.

in Australian
waters.

From the experience and success you and others have had in fishing on this coast, and off New Zealand, do you think it would be to the interest of the adventurers in the South-Sea fishery persevering in sending their ships entirely to this coast for spermaceti oil ?

1st.

We think the passage round by Van Dieman's Land is much the easiest, with respect to the vessel, &c., and health of the crew.

2nd.

Within the same parallels, on both coasts, the weather is boisterous, but with this difference, that on the coast of Chili and Peru the gales are steady, and this coast variable and attended with squally weather and a great sea ; but off New Zealand the weather and sea is as favorable as on the coasts of Peru and Chili.

3rd.

The example of ships fishing on this coast proves that there is no material difference in time.

4th.

We have always observed the spermaceti whales going in large scholes to the northward, and are certain, from our experience, that great quantities must resort about the Hebrides and New Guinea.

5th.

We think, for the reasons stated in the answer to the 1st query, that it would be to the interest of the owners sending their ships here first, and making up the voyage, if necessary, on the opposite coast, or running to New Guinea, if allowed, and then the opposite coast to complete the voyage.

6th.
How far do you think the adventurers would be advantaged by their ships coming first to this coast and New Zealand, then running to the coast of Peru and completing their voyage there in peacable times?

6th.
Answered by the former.

1802
21 May.
The southern whale fisheries.

7th.
What has been the general state of your ships company's health, and how far have you been benefitted by the refreshments you have obtained here and at Norfolk Island?

7th.
Our ships company's have been in good health, neither of us having lost a man. Respecting refreshments we have had more plentiful and cheap supplies at Norfolk Island than at this place, but at both we have had sufficient to keep our crews in good health.

Health of the crews.

8th.
Any other information respecting the fishery on these coasts which can be communicated will be transmitted to Government, and some of the principal adventurers in the South-Sea fishery.

8th.
We know of no other particular information, except that a very great advantage would be derived by the limits being extended on this side the Pacific Ocean to the Equator, and the longitude of 130° east of Greenwich.

Additional information.

Given under our hands, at Sydney, in New South Wales, this
21st day of May, 1802.

ROBERT TURNBULL.
GEORGE QUESTED.
BARNABUS GARDINER.

GOVERNOR KING TO THE DUKE OF PORTLAND.

My Lord, Sydney, New South Wales, 21st May, 1802.

In my despatch by Lieut. McKellar, I had the honor of informing your Grace of the Lady Nelson's return from her voyage to Basses Straits, just before I closed my letters, which enabled me to transmit Acting Lieut't Murray's log, and copies of the discoveries he had made on that voyage of King's Island and Port Phillip, in Basses Straits. Those important discoveries, being combined with the chart of former surveys that have been made, which I now transmit, with a copy of Acting Lieut't Murray's journal, I hope will convince your Grace that that highly useful vessel, the Lady Nelson has not been idle since under my direction, and altho' Mr. Murray unfortunately does not possess the qualities of an astronomer and surveyor, yet I trust his efforts and success will, in proportion to his conduct and abilities as a seaman and officer, more effectually ensure your Grace's recommending him for his being confirmed as a lieutenant in the Navy, and in the command of the Lady Nelson, which I hope he will appear deserving of.*

Discovery of Port Phillip and King Island.

Acting-Lieutenant Murray.

* The Admiralty refused to appoint Murray in consequence of some incorrectness in his statement of services—ante, p. 743.

1802
21 May.
Le Naturaliste.

2. The *Naturaliste*, one of the French ships on discovery, which sailed from Havre de Grace in 1800, appeared off this port the 24th April. An officer was sent on shore with an Admiralty passport, bearing date 25th June, 1800, and a request was made by the captain to enter the harbour for water, which he was much distressed for, and also to procure such refreshments as might enable him to continue his voyage of discovery. Observing by the passport that a provision was made therein for their being allowed "to put in any of His Majesty's ports, in case of stress of weather, or for the purpose of obtaining assistance if necessary to enable them to prosecute their voyage," I permitted them to come in, and lye in Neutral Bay, under certain restrictions, a copy of which I have the honor to enclose.* Their principal wants were water, wood, a bower anchor, wheat, and vegetables, which being furnished with, they sailed the 18th instant, after a stay of twenty-three days, during which time they experienced every attention and hospitality on my part, and that of all the officers in the colony, which I trust will not be disapproved of, considering the situation and character they came in, which their conduct and demeanour fully correspond with during the short stay they made here.

Inter-
national
courtesies.

Track of the
French
ships.

Baie du
Géographe.

Bass Strait.

3. From the accounts I have been able to collect, it appears those ships first destination was the Isle of France; from thence to the Land of Lyons on New Holland, the western and north-west coast of which they examined minutely as far as Timor, where they refreshed; from thence they stood off to the S.W., and were two months before they made the coast of New Holland again. They anchored and lay some time in Shark's Bay, named by them Chiens Marins Bay, where they provided themselves with abundance of turtle and fish, but describe the land about it to be sterile and sandy. We also learned that they had discovered a very spacious bay, where they had anchored, situated between Swan River and the point of the Land of Lyons.† They deny having been into King George III harbour. On leaving the South Cape, it appears they saw no other part of the intermediate coast till they made the south-west cape of New Holland. After having rounded Van Diemen's Land, they put into D'Entrecasteaux Bay, and examined the Derwent. Their next and grand object on the coast appears to have been Basses Straits, which they entered by Banks's Straits, having previously visited Oyster Bay, and ascertained the three northernmost of Schouten's Islands (within which they tried to pass) to be connected by an isthmus with the nearest point to the northern island. It also appears that between St. Patrick's Head and Banks's Strait the two ships parted company in a gale

* The whole of the interesting correspondence which passed between the Governor and the officers of the French discovery vessels will be found grouped together, at the end of this volume, in the form of an Appendix.

† Note in the original.—"This bay they named Baie du Géographe."

of wind, and a fog. The Naturaliste after having cruized off Waterhouse's Isle the time prescribed by the rendezvous, proceeded to Western Port, where they lay some time without seeing the excellent watering place Acting Lieut. Murray found on Phillip Isle during the Lady Nelson's last voyage, which appears to have been a principal reason for their visit to this place. It does not appear they have any knowledge of Port Phillip or King's Island, not having been to the westward of Western Port. The remainder of the Naturaliste's voyage is a secret. She has been supplied with four months wheat. Besides their daily consumption, they have only two months salt meat, at 2 ounces each man per diem, and the very reduced ration we were at, did not admit of my supplying them with that article; therefore, I conclude they will soon return to the Isle of France thro' Basses Straits. By the account of an English seaman they got at Timor, who I claimed, and they readily gave up, it does not appear that they have made any other discoveries than the bay above-mentioned, and that they did not carry their survey to the eastward of Timor on the north coast of New Holland; consequently that part and the Gulf of Carpentaria is reserved for Captain Flinders.

1802
21 May.
Western
Port.

Food
supplies.

4. Previous to the Naturaliste's sailing from hence, I was highly gratified by the arrival of His Majesty's ship Investigator, on the 9th, and was still more pleased to find that Captain Flinders had surveyed the S.W. coast to within six degrees of Basses Straits before he met the Geographe, which it appears had passed through the straits after parting company with the Naturaliste, and that it was the Commodore's intention to come here for refreshments, in consequence of which the captain of the Naturaliste intends cruising off the coast till Mons'r Baudin arrives.

The Investi-
gator.

5. By Captain Flinders I had the honor of receiving your Grace's letter* respecting the Lady Nelson being attached to the Investigator while the latter remained in and about this territory, provided the public service would admit of its being done, leaving it to myself to determine according. I also received directions from the Admiralty† to put the Lady Nelson under the orders of Captain Flinders. As I always intended that the Lady Nelson should accompany the Investigator (well knowing the necessity of two vessels being employed on a service of that nature), which I have had the honor of informing your Grace of, and also the Secretary of the Admiralty, in my former letters, I could not hesitate a moment obeying your Grace's wishes, the directions of the Admiralty, and my own inclinations, and am very happy to place so useful and desirable a vessel under the orders of an officer so well qualified to make the most of the service he has undertaken.

The Lady
Nelson.

Tender to
the Investi-
gator.

6. As soon as the Investigator is refitted, and supplied with the necessary quantity of biscuit, &c., Capt'n Flinders will pursue the

Captain
Flinders
and the
Admiralty.

* Ante, p. 418. † Ante, p. 411.

1802 subject of his instructions. As that officer will inform the Admiralty of his proceedings thus far, I have only to observe that I have given Captain Flinders every information I am possessed of, and shall continue to give him every assistance in carrying on the service he is employed on.

Charts. 7. The charts now sent* are forwarded more from a wish to possess your Grace of what has been done previous to the Investigator's arrival than to recommend it as a conclusive survey of the Straits. There are still some points to examine, which will be effectually done when Captain Flinders revisits that part of the coast; but as Capt'n Flinders will take some considerable time to arrange his conclusive survey of those straits, I beg to suggest the propriety of the charts I have the honor to send now being allowed to be published for the advantage of ships bound to this place, until Capt'n Flinders's charts are published, as passing through those straits, instead of going round Van Diemen's Land, is of the greatest importance to vessels coming here, and for which purpose the charts are sent, I have every reason to suppose will be found sufficiently correct.

H.M.S. Porpoise. 8. His Majesty's armed vessel Porpoise being refitted with new masts, &c., and having exhausted our stores of every naval store, with all which she is incompletely fitted, sails on the 27th for Otaheite, in quest of salt pork. A copy of my instructions to Mr. Scott, and a list of the articles he is supplied with for barter (which I fear will be very inadequate to purchase a large supply), I have the honor to enclose. The Norfolk, Colonial brig, which sailed for Otaheite in November last, has not returned. As the Speedy, South Sea whaler, by which this despatch is forwarded, has got a full cargo of spermaceti oil on this coast, and four other whalers having nearly completed their cargoes, I have judged it proper to possess your Grace of what may be expected by that fishing being carried on upon this coast, for which purpose I have the honor to enclose a copy of three of the masters' answers to some queries I put to them.†

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO THE DUKE OF PORTLAND.

Sydney, New South Wales,

21st May, 1802.

My Lord,

A whaler.

The Speedy, whaler, having filled on this coast, and put in here for a few days previous to her return to England, enabled me to forward your Grace duplicates of my last despatches, sent by Lieut't McKellar in an American schooner‡ bound to New Bedford,

* The charts are unfortunately missing.

† Ante, p. 760.

‡ The Caroline.

from whence he is to take his passage to England. As I endeavoured to make that despatch and its accompanying documents as explanatory as possible, and so short a time having elapsed, I have but little general information to communicate in addition. 1802
21 May.

I continued the reduced ration of pork until only eight weeks remained in the stores, when it became necessary to go to the very reduced ration of three ounces and a half of pork daily. The women and children have been long excluded from that part of the ration ; but I hope soon to receive a part of that supply of provisions mentioned in your Grace's last despatch, as the necessity of lessening public labor in proportion as the ration is reduced will be obvious. Our present remains, at the utmost calculation, will last only twelve weeks, and I trust that the arrival of supplies before that period will prevent our thriving stock being touched, which I shall endeavour to prevent by every means in my power, well-knowing what an immense expence has been incurred for what the colony now possesses, how soon its present quantity would be destroyed, and the great expence, losses, anxiety, and disappointment that would attend its being replaced. The ration
reduced.

The stores
diminishing.

Notwithstanding what I have stated in my former letters of the change which I hoped had taken place among the Irish,* sent here for sedition, and being principally concerned in the rebellion in that country, yet I am much concerned to say that the same restless and diabolical spirit still pervades them. It was but very lately some of their leaders very incautiously discovered what their intentions were, of which I had the most corroborating proofs. As some of the principals are removed to Norfolk Island, I hope the others will find it their interest to be quiet ; otherways it will be absolutely necessary for me to proceed in a very summary manner to prevent worse consequences. As I am informed more Irish convicts are coming here, it may be necessary to re-embolden the associations if they are troublesome, which unfortunately is attended with the expence of their provisions. The Irish
rebels.

Altho' it is not my duty to press on your Grace the description of people to be sent here, yet I would humbly propose that as few as possible of those convicted of seditious and republican practices should be sent ; otherways, in a very short time this colony will be composed of a few other characters, which must necessarily draw on anarchy and confusion, as nothing but the hand of authority keeps those we now have within the bounds of order. Among those deluded people, I was reluctantly obliged to send away the man I entrusted with the linen manufactory, which will be a great hindrance, until some person equal to conducting it can be sent from England, instead of the man who was drowned coming out here. Any person that is sent in that situation should be acquainted with the growth and manufacture of the flax. The right
class of
convicts.

* Ante, p. 82 and note.

- 1802 From the account given by Acting-Lieut't Murray and Captain
21 May. Flinders, the goodness of the soil and natural advantages of Port
Port Phillip. Phillip, in Basses Straits, I beg leave to suggest the propriety of
a settlement being made at that place, as much for the purpose of
separating the numbers that will be sent here when peace is made,
as to make an establishment in a place so connected with this
settlement; nor can there be a doubt, from the accounts I have
received from those officers, of its being a much more eligible
climate for raising wheat than this. This measure I should im-
mediately adopt, but unfortunately I have no person under me that
can be spared or entrusted with such a command; but when more
officers come out, perhaps I may be able to select out one that
would answer for that situation, which will require a person of
some abilities and perseverance. Unless I find it absolutely neces-
sary, I shall not take this step without your Grace's approbation,
and if approved of, I respectfully beg leave to submit the establish-
ment proposed in a former letter to your Grace's consideration,
which I have the honor to enclose with a marginal reference. I
am more solicitous respecting forming this settlement, from the
probability of the French having it in contemplation to make a
settlement on the N.W. coast (of straits), which I cannot help
thinking is a principal object of their researches.
- The designs of the French.
- Enclosures. I have the honor to enclose the quarterly employment returns of
superintendants and officers on the civil establishment, and a
return of the stock belonging to Government up to the date of this
despatch, referring your Grace to my separate letters A with this
and my last despatch No. 6, for the details of our expenses and
documents annexed thereto.
- 400 bushels of wheat for Norfolk Island. Agreeable to Lieut't-Governor Forveaux's request, I sent 400
bushels of wheat from hence for seed. The Colonial vessel that
took it is returned, and exclusive of the letter and returns (copies
of which I have the honor to enclose), it appears that officer is
doing his utmost to reduce the expences of that island, and to
draw it from the neglected state it has been in.
- Statutes. I have also the honor to enclose the Acting-Judge Advocate's
letter to me, requesting being supplied with a copy of the statutes
at large and the sessions papers, the former of which we are much
in want of, particularly the late Acts respecting sedition and
seditious meetings.
- United Irishmen. Except the trouble occasionally given by the United Irishmen, I
am happy to inform your Grace of the general regular and orderly
behaviour and good state of health of that part of His Majesty's
subjects over whom I have the honor to preside.

I have, &c.

PHILIP GIDLEY KING.

GOVERNMENT LIVE STOCK.

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[Enclosure.]
A RETURN of all Government Stock, 22nd May, 1802.

	Horned Cattle.						Horses.					Sheep.				Remarks.
	Bulls.	Cows.	Bull Calves.	Cow Calves.	Oxen.	Horses.	Mares.	Fillys.	Colts.	Geldings.	Rams.	Ewes.	Wethers.	Fewe Lambs.	Welther Lambs.	
Parramatta..	5	197	44	78	35	2	23	6	5	2	5	333	230	282	16	Increase of horned cattle since the last week's return, 6.
Toongabbee ..	7	110	153	183	21	..	..	..	..	..	..	..	..	..	..	No decrease of horned cattle.
Castle Hill ..	..	2	107	90	..	..	..	..	..	..	..	..	..	..	..	No increase of sheep since the last week's return.
Hawkesbury ..	1	10	4	6	8	..	..	..	..	..	..	..	..	..	..	Decrease of one lamb.
Sydney ..	1	17	5	9	36	..	..	..	..	..	..	..	..	..	..	Sent one wether to Government House, Sydney.
																Sent one to Parramatta Hospital.
																Discharged four cows to Norfolk Island
																Individuals, two bulls, one cow and calf belonging to Government.
																Ditto, one ox.
	14	336	313	371	92	2	23	6	5	2	5	333	230	282	16	

Since the 1st March, Increase of horned cattle
Decrease of horned cattle
One cow and two calves died, one cow sent to the store at Parramatta, one ox to the store at Parramatta, and one to the store at Sydney.
Three oxen sold for wheat to the store; four cows sent to Norfolk Island.
Increase of sheep, 38. Decrease of sheep, 30.

Wethers sent to Government stores
Wethers sent to the Hospital at Parramatta
Wethers sent to Capt'n Mcellar
Deaths—2 ewes, 1 wether, and 4 lambs

JNO. JANIESON, Superintendent of the Stock.

1802
22 May.
Live stock.

33
13
12
7
4
7
30

1802

GOVERNMENT AND GENERAL ORDER.

22nd May, 1802.

22 May.
Officers' pay.

THE pay of Mr. Martin Tims, as Provost-Marshal of Norfolk Island, commences the 13th March, 1802. Mr. Nathaniel Lucas is appointed master carpenter, and Robert Jones superintendant, of Norfolk Island, the 13th of March, 1802.

Sale of
spirits.

The Governor has limited the commander of the American ship Arthur to 100 per cent. advance on the invoice price of the articles he has for sale, on condition of not demanding more than 7s. 6d. per gallon for the 3,000 gallons of rum, and 15s. per gallon (duty on both included) for the 3 pipes of Hollands gin, which he is allowed to sell by the Governor's permits.

The supply of salt provisions purchased from the master of the Arthur will enable the Governor to direct the Commissary to make an increase in the ration of salt meat next Saturday.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

24 May.

24th May.

Distribution
of spirits.

THE Governor has directed the following distribution of spirits, arrived by the Arthur,* to be made, viz. :—

The Governor and Lieutenant-Governor	...	60 gallons each.
Officers, civil and military	... ..	33 do. do.
Officers at Norfolk Island	... ..	100 do.
Non-commissioned officers and privates	... ..	300 do.
Licensed people	... ..	20 do. do.
Superintendants	... ..	10 do. do.

Sunday
trading.

Ann Marsh has this day been convicted of selling spirits without a license on the Sabbath, and bribing a constable to say she had only half-a-gallon in her house when she had eight gallons. Exclusive of the forfeiture of the spirits and the bribe of £5, she has incurred the different penalties amounting to £20 sterling, which has been levied on her effects. This example, it is hoped, will deter others from incurring similar losses. It is the Governor's express orders that no spirits are even to be given by any person, or sold by any licensed person, on the Sabbath.

PHILIP GIDLEY KING.

SURGEON BALMAIN TO SIR JOSEPH BANKS. (Banks Papers.)

No. 1, Manchester Buildings, Westminster,

Sir,

24th May, 1802.

Colonial
Courts of
Justice.

The inclosed is the paper which I took the liberty of laying before you on the subject of our Courts of Justice in New South Wales.

* The Arthur landed 2,500 gallons of spirits.

The flattering reception it has met with from you confers on me the highest honor, for having witnessed every movement in the colony from its first formation, and been personally engaged in many of its public transactions, it will not seem strange that I feel warmly interested in its prosperity.

I have to regret my being unable to wait upon you last evening. On another occasion I will have the honor to take advantage of your kind invitation.

I am, &c.,

W. BALMAIN.

[Enclosure].

Courts of Justice.

WHEN the colony of New South Wales was first planted the civil and Criminal Courts of Judicature were capable of performing all that was required of them. The officers, who were occasionally summoned as members, were, in general, steady men, and as the number of European inhabitants were few, crimes were not frequent among them, and law-suits scarcely known. In this early stage, therefore, where difficulties seldom occurred on any of the trials, neither the Judge-Advocate or members were required to possess any intricate knowledge of the British laws; nothing was yet agitated in the colony that could tend to perplex their minds or warp their judgements. The people were satisfied, and the ends of justice were fully answered.

In process of time population increased and crimes multiplied; property was acquired, and litigation kept pace with it; every scheme that the art and cunning of thorough-paced rogues could devise was sedulously employed to perplex the Courts of law, and to obstruct the course of justice; and at present seldom a day passes without the commission of a crime or the commencement of a law-suit. Cases of real or artificial difficulty occur at every trial, which, from the incompetence of the judges, frequently produce unpleasant divisions of opinion among them, insomuch that differences without end are made from their decisions to the higher powers in England, and justice is left to sleep untill answers are returned on the subject.

From this, in part, proceeds that want of respect for our Courts of Judicature which at present manifests itself throughout the colony. The inhabitants begin to assume some little consequence, and think their rights rather in danger under the present forms of law.

They complain that the Courts are on too small a scale to be free from corruption; that several of the officers are low-bred, ignorant men; that others are young and inexperienced, and unequal to draw a just conclusion in cases of importance—in short, they are desirous that a form of jurisdiction should be established in the colony which may afford them greater security than they

1802

24 May.

Balmain's interest in New South Wales.

The Courts originally competent.

Crimes infrequent.

A contented populace.

Increase of litigation with population.

Offences and law-suits.

Incompetent judges.

Appeals to England.

Undignified Courts.

Charges of corruption.

1803	at present enjoy, and shall approach more nearly to the established forms in England; nor can there exist a doubt that such a change has become absolutely necessary.
24 May.	
Composition of Criminal Courts.	The Criminal Court, in place of six, should consist of twelve members, taken indifferently from the officers—civil, military, and naval—together with such of the respectable inhabitants as shall be found sufficiently qualified to be impanelled on such an occasion; and it is most essential that the Judge-Advocate, being the principal law officer, should be a man of the strictest honor and integrity, possessing a thorough knowledge of the laws of his country, and capable of conducting the duties of his office with an independant spirit.
The Judge-Advocate.	
The prisoner's safeguard.	This form of trial would command reverence and respect from the public, and the prisoner, whatever might be the issue of his cause, would derive security from the number of his judges, and rely with confidence on their decision.
The Civil Court.	In like manner the Civil Court should consist of twelve members, in place of the Judge-Advocate and two discreet house-keepers who are directed by the Patent to compose it under the present form, and no appeal to lay from its decision where the matter in dispute is less than the sum of £200; for the spirit of strife has arisen to such a wonderful height among the inhabitants that matters of weighty concern are frequently agitated before this Bench of Justice, which commands so little respect from its feeble structure, that they are seldom brought to a happy conclusion. The vanquished party cannot, or will not, persuade himself that his plea has met with due consideration, and he instantly arraigns the judgement of the Court and appeals to the Gov'r to reverse its verdict. Thus are our Courts of law involved in perpetual perplexity, and have become the sources of great dissatisfaction and unhappiness among the inhabitants.
Important issues.	
Appeals to the Governor.	
Legal complications.	
Summary jurisdiction.	In cases of emergency, when offenders could not be sent to head-quarters for trial with sufficient dispatch and without injury to the service, it might be prudent to direct the Colonial residents to summon to their assistance as many officers and other respectable persons as could be found in their district, and with them proceed to try, pass sentence, and order execution of criminals the magnitude of whose offence was of such a nature as to threaten the settlement with manifest danger unless suppressed by prompt and exemplary punishment.
Local decisions.	The residents might also be authorised to hold occasional meetings of respectable persons for the adjustment of civil differences in order to check, as much as possible, that roving disposition and love of novelty which their frequent visits to head-quarters never fail to excite, and which, in most cases, exhausts all their relish for domestick comfort and enjoyment.

I will not presume to give an opinion as to the number of votes that should preponderate in the decisions of the Courts of Judicature, nor in what manner they may be allowed to vary in particular cases. This being the province of men experienced in professional knowledge, I leave it for them to determine.

1803

24 May.

The verdicts,
how arrived
at.

GOVERNMENT AND GENERAL ORDERS.

25th May, 1803.

25 May.

WHEREAS Andrew Thompson (settler and constable) has been at a great expence in constructing a floating bridge over the South Creek, at the Hawkesbury, leading from the Parramatta Road to the Green Hills, which is of great convenience to the settlers and inhabitants in this colony; and as the subscriptions for carrying on that work have been very inconsiderable in comparison to the expence, he has requested that a permanent toll may be established by authority, for persons, &c., passing that bridge, as may compensate him for the expence he has been at, and to enable him to keep it in repair. In consequence of that just claim, the following toll is established, for the term of 14 years from this date, provided he keeps the said bridge in constant repair (accidents by flood or fire excepted), viz. : For each foot passenger, 4d., or 10s. per annum; for each horse, 2s. 6d., or £2 10s. per annum; for every cart or carriage, 1s. 6d., or £1 10s. per annum.

A bridge
over South
Creek.

A toll.

Government having subscribed £15 and two men for three months towards erecting the said bridge, constables and Government men going or returning from public labours, who have a pass signed by the magistrate at Parramatta, Toon-Gabbee, or Sydney, or from the magistrate at Hawkesbury, as well as every officer and soldier in the actual execution of public duty, are to pass free of any toll; but if any person whatever endeavours to impose by passing under these pretexts, they will, on conviction, forfeit £5 to the proprietor of the said bridge.

Government
servants
exempt.

The Governor having given to Andrew Thompson the exclusive privilege of keeping and maintaining the bridge, and the receipt of the tolls arising therefrom, for the space of 14 years, from this date, any person keeping a passage-boat, or using any other mode of carrying or conveying passengers, horses, or carts across the South Creek, will, on conviction before two magistrates, forfeit the sum of £5 for each offence to the proprietor of the bridge.

The toll-
keeper.

Henry Kable, having misbehaved in the execution of his duty, as chief constable, at Sydney, is removed from that situation. The constables are to be under the Provost-Marshal's directions till further orders.

The chief
constable.

Thomas Parsonage, constable, having extorted money from the prisoners under his charge, is punished with 50 lashes.

PHILIP GIDLEY KING.

1802

GOVERNMENT AND GENERAL ORDER.

26 May.
Trading.

26th May, 1802.

NOTWITHSTANDING the repeated orders to the contrary, yet the indulgence given to individuals of purchasing articles from the stores for their domestic uses are still abused, by being converted into an extortionate traffic, for which D—— P—— has this day been punished with 50 lashes. If any person is detected in turning that advantage to such improper purposes, they will be punished according to the situation of the delinquent, and ever after be deprived of that and every other advantage of the same kind.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER-SECRETARY KING.

Sir, Sydney, New South Wales, 26th May, 1802.

Since finishing my letter sent by this conveyance, the
The Arthur. Arthur, American ship, from New Providence, arrived here on her way to China, with the enclosed list of articles for sale. As only twelve weeks' salt meat remained in the stores for those victualled by the Crown, at the reduced ration of 1 lb. 10 oz. of meat a week, and in order to provide against any accident or detention happening to the expected supplies from England (which I am sorry to say are not yet arrived), I directed the Commissary to purchase all the beef and pork, which he bargained for at 7½d. p'r lb. This supply has enabled me to increase the ration of animal food, whilst there is a necessity for making a partial reduction in that of grain, as stated in the enclosed General Order. Payment for this meat will not be made until after the Speedy sails. On the back of the state of the settlement, I have stated the period to which this timely supply of meat will last at our present ration—being two-thirds of the full.*

Purchasing
pork and
beef.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

28 May.

28th May, 1802.

The ration of
salt meat.

WHILST the supply of salt meat purchased from the American ship Arthur enables the Governor to make an increase in the late reduced ration of animal food (which he hopes the expected arrivals will soon increase to a full ration), he is sorry to be under the necessity of making a timely retrenchment in the ration of grain. To prevent the scarcity felt last year, the following weekly ration will be issued until further orders: To all males victualled from the public stores—Wheat, 9 lb.; maize, 3 lb. shelled, or 4½ lb. in cob; pork, 2 lb. 10 oz.; or beef, 4 lb. 10 oz.; sugar, 6 oz. Women and children in proportion. The addition of 3 oz. of sugar will be continued until a full ration of meat or grain can be issued.

PHILIP GIDLEY KING.

* On the back of the document is the following note :—"Twenty weeks, with what remained before."

GOVERNOR KING TO SECRETARY NEPEAN.

1802

Sir, Sydney, 28th May, 1802.

28 May.

With this I have the honor of forwarding an abstract of His Majesty's armed vessel Porpoise's weekly accounts, from those delivered to me by Mr. Scott.* These accounts were made up to the date of that ship's being ready to sail to Otaheite in execution of the enclosed orders.

H.M.S.
Porpoise.

It is necessary I should inform you that on the Porpoise's return from Otaheite in October last, it was discovered that at least fourteen sheets of copper were off her bows, from the gripe to the after part of the fore chains, and that her lower masts, bowsprit, &c., were rotten. Those defects were remedied as soon as possible, by taking everything out and laying her on shore, which enabled us to replace the copper. Lower masts were procured and made by the master carpenter of this territory. It is necessary I should add that the loss of the copper must have happened while the ship was in the Spanish service,† as it is very evident the Porpoise has never touched the ground since she was purchased. The hull and masts of the ship were in perfect good order when she sailed from hence the 27th instant.

Repairs
effected at
Sydney.

As fitting the Porpoise for her present voyage has exhausted the Colonial stores of every article of naval stores, I have applied to the Navy Board for stores being sent for that ship agreeable to Mr. Scott's demand, and to the Victualling Board for twelve months provisions for that ship, which I hope their Lordships will approve, as no naval stores or salt provisions can be purchased here from masters of ships for less than 100 per cent. above the English cost.

Naval stores.

I have, &c.,

PHILIP GIDLEY KING.

ROBERT BROWN TO DR. DRYANDER.‡

My dear Sir, Port Jackson, 30th May, 1802.

30 May.

I have by the present opportunity written to Sir Joseph,§ but am sorry to say that I have been able to introduce very little of importance relative to our acquisitions. Specimens and observations I could not, from my very limited time, send by the present conveyance.

A letter to
Banks.

You will probably learn from Sir Joseph, that the number of plants observ'd on the S. coast of N. Holland is far from being considerable;

Plants on
the south
coast.

* The enclosure is not available.

† The Porpoise was originally a Spanish prize named the *Infanta Amelia*—vol. iii, p. 723, and note, and ante, p. 54 (note).

‡ Dr. Jonas Dryander, a celebrated botanist, a disciple of Linnæus, and intimate friend of Sir Joseph Banks. Upon the death of Dr. Solander, Banks appointed Dryander his librarian. Subsequently he became librarian to the Royal Society, of which he was one of the original Fellows. He took an active part also in the foundation of the Linnean Society, of which he was Vice-President. Amongst other works, he edited Aiton's *Hortus Kewensis*, and Roxburgh's *Plants of the Coromandel Coasts*. The book on which his reputation will live, was the *Catalogus Bibliothecæ Historico-Naturalis, Josephi Banks, Baronetti, 1798-1800*: 5 vols. He died at the Linnean Society's Home, Soho Square, on 19th October, 1810.

§ Sir Joseph Banks.

- 1802 however, except at King George's Sound and the bay (in the charts call'd 1*) we were much too late in the season for botany.
- 30 May. Of absolutely new species I cannot reckon more than 300, for
New species. of 750 observ'd, 120 had been previously found in this neighbourhood and along the east coast by Sir Joseph; 140 more by Mr. Menzies at King George's Sound. I reckon that Billardiére may, in the neighbourhood of Porto del Esperance, have found 140 more, and a few are New Zealand, with one or two Linnean species. I need hardly say that the animals observed are much less numerous than the plants; they also differ less from those of Port Jackson, as might naturally be expected.
- Mineralogy. In mineralogy we have had extremely little variety.
- Paper for preserving plants. I have very unfortunately lost part of my paper from the dampness of the place in which it is kept. What remains is far from sufficient for the remainder of the voyage. I, therefore, take the liberty of begging you to purchase for me 8 reams of Imperial brown paper. It is fully the size of cartridge. Its price when we left England £1 2s. p'r ream, and for the far greater part of the plants of this country, I find it, upon the whole, much superior to cartridge paper. I venture to trouble you in this matter, as you are most likely to learn the earliest opportunity of sending it. If I do not get a supply of this most necessary article before our return to Port Jackson I shall be truly miserable, for paper of any description is not to be had here.
- Botanical books. In addition to the list of books which I left with you, I beg you will purchase for me Billardiére's promis'd botanical work, if published; the new edition of Jussieu's Genera, or Vahl's Species Plantarum, and any other work on natural history which you may suppose useful in my present situation.
- Correa. Remember me in the kindest manner to my good friend Mr. Correa,† and tell him I have been labouring to encrease his family, but hitherto without much success. The species of *Correa* we have met with are only six, three of which were previously known. I have also seen in the possession of the botanist of the *Naturaliste* the two species figur'd in Billardiére's work. They appear distinct from any of those I have found. In *Banksias* I have been more fortunate, having at King George's Sound and Bay I (*vide* C. Flinders' charts) found no less than twenty species, only four of which were previously known, except a few others from Mr. Menzies specimens.
- Banksia.

* Flinders called this "Lucky Bay," a name it still retains.

† Jose Francisco Correa de Serra, a learned Portuguese, settled in London, the author of several botanical treatises. He wrote a paper "On the Fructification on the Submerged Algae," in the Philosophical Transactions of 1796. Sir James Smith, who received most of the "New Holland" plants at the time, dedicated in 1798 a new genus of Rustaceous plants to him under the name of *Correa*. *C. Speciosa* is one of our "native fuchsias." *Correa alba* is a white flowering shrub from 2 to 4 feet high, common all along the sea coast. It was used in the early days by the sealers in Bass Strait as a substitute for tea, and hence acquired the name of "Cape Barren Tea," from Cape Barren Island in Furzeaux Group, where it grew in abundance. There are only six recognised species of *Correa* at the present day, and some of them have been described since Brown's time. Some of Brown's six species have since been reduced to varieties of *C. Speciosa*.

My agents, Messrs. Prater, Charing Cross, No. 3, will reimburse you for any sums expended on my account.

1802

Pray remember me most kindly to Mr. Dickson,* Dr. Smith,†
Mr. Lambert, Mr. Koenig, &c. I have, &c.,

30 May.

ROBT BROWN.

ROBERT BROWN TO THE RIGHT HON. C. F. GREVILLE

Dear Sir, Port Jackson, 30th May, 1802.

Tho' I have very little of importance to say relative either to our past operations or future proceedings, yet I cannot let slip the present opportunity of writing a few lines.

You probably know that we touch'd at Madeira and the Cape. *At Madeira* our stay was only three days. I attempted to reach the top of Pico Reviro on foot, but from want of time and proper guides fail'd.

At the Cape our stay was about three weeks. The ship was in Simon's Bay, and my longest walks were to Capetown and Table Mountain, which I ascended twice. Tho' I cannot accuse myself of idleness, yet can hardly flatter myself with having found anything new. I attended particularly to orchidæ, and collected upwards of 30 species. Many of these I could have sent had an opportunity occur'd.

The Cape of
Good Hope.

I have, however, requested Mr. Rielly, surgeon of the Lancaster, to send you all of that family he may be able to collect. He is no botanist himself, but will be able to get assistance at Capetown.

Plants from
the Cape.

The charts sent home by C. Flinders by the present conveyance will give you much more accurate information of our proceedings than I can pretend to do.

Charts.

I have written to Sir Joseph a very brief abstract of what I have been able to do in my department. Upon the whole the number of plants falls short of the expectations I had entertained, but except at King George III's Sound, and our next anchorage, called in the chart Bay 1, we were too late in the season for botany; unfortunately, too, in both those places I had sore legs, which prevented me from attempting any very extensive excursions.

A letter to
Sir Joseph
Banks.

The plants which we have found are mostly new species; there are also a few new genera. In Banksias, too, we have been very fortunate, having observed upwards of 20 species, some of which I think are superior to any hitherto known.

Banksias.

Dickson will be sorry to hear that cryptogamic plants are neither numerous or singular; most of the lichens observ'd are well-known species; mosses are uncommonly few.

Crypto-
gamia.

* James Dickson, a famous British cryptogamic botanist, after whom the genus *Dicksonia* was named.

† The celebrated British botanist, Sir James Edward Smith, author of several works on botany. In 1788 he founded the Linnean Society, of which he was the first President, and after the death of Linnæus he purchased his books, manuscripts, and botanical collections, which he bequeathed to the Society.

- 1802** I have been able to add one species to *Dicksonia*. It is arborescent, about 12 feet high, and has a very shewy frond.
- 30 May.** We have seen both the French ships—*Le Geographe* at sea on the south coast, *Le Naturaliste* in Port Jackson. I have picked up a little information concerning their past operations, which I have sent to Sir Joseph.*
- Dicksonia.**
- The French ships.**
- Paper.** I have had the misfortune to lose some of my paper from the dampness of the magazine, and what remains is far from being suff't for the whole voyage. Paper of any kind is not to be had here. I have, therefore, written to Mr. Dryander to purchase for me 8 reams of large brown paper (called Imperial crown paper). I find it, for the greater No. of plants of this country, much superior to cartridge, and less liable to be attack'd by mice, with which we are much infested.
- Flinders and Brown.** I have found C. Flinders upon all occasions ready to give me every opportunity of collecting, but I find considerable difficulty in procuring proper, or indeed any, boxes made for my collection, or a safe place to place it in.
- At present I leave all my collection with Gov'r King, who is good enough to send it to his house at Parramatta, where it will be in less danger from the white ants.

ROB'T BROWN.

ROBERT BROWN TO SIR JOSEPH BANKS.

- Dear Sir, Port Jackson, 30th May, 1802.
- Madeira and the Cape.** Since our departure from England I have unpardonably neglected two opportunities, viz't, from Madeira and the Cape, of writing to you, and now that a considerable and important part of the voyage is over, I am afraid I shall disappoint expectations in not sending by the present conveyance specimens and descriptions of what I have collected in natural history. Without, however, devoting much longer time than the present opportunity admits, I should be unable to arrange even a tolerable collection of specimens accompanied by correct descriptions, while I should in some measure lose an opportunity of becoming acquainted with the productions of this neighbourhood, considerably the best place for botany we have seen. I have sent a very small box of seeds—a larger one I could not procure in time for the conveyance; and its smallness may be some advantage, as it enables Gov'r King to enclose it in a larger one, which I believe is also for you. I have ventur'd to address it to you, trusting that if it should have been directed to the Admiralty you will [make] the necessary apologies for me. The list which accompanies the seeds, and which is enclosed in the box, is partly compos'd of nicknames given at the moment the plants were collected, and not allow'd since. Some of them, I am afraid, may mislead, and the greater part I am aware
- Botanical research.**
- A box of seeds.**
- Nicknames.**

* See Brown's letter to Banks of the same date, which follows.

are rather barbarous, especially where I have terminated specific names in *ordes*, which I have done when uncertain whether the plant was distinct from a species already known, but upon the whole inclined to think so. 1802
30 May.

Of plants (to which I have devoted the far greater part of my time) the No. of species observ'd on the south coast is about 750. In this No. I do not include cryptogamic plants which, indeed, are neither numerous or singular. Of the 750 about 120 are common to N.S. Wales; the rest, a very few, New Zealand, and one or two Linnean species excepted, are new species of known genera, or, more rarely, belonging to new genera of those natural orders which are most numerous in N.S. Wales, especially in the vicinity of this colony. Botany of the south coast.

In zoology I have done but little, the time necessarily employed in collecting, preserving, and describing plants, preventing me from paying half the attention to the animal kingdom which its great importance deserves. Zoology.

In mineralogy I have hitherto merely collected what presented itself on the surface, having never been in a situation where it was necessary to sink a shaft. Mineralogy.

Mr. Bauer* desires me to add that he has made 350 drawings of plants and 100 of animals. He has indeed been indefatigable, and has bestowed infinite pains on the dissections of the parts of fructification of the plants. The drawings.

In Mr. P. Good† I have a most valuable assistant; a more active man in his department could hardly, I believe, have been met with.

In attempting to transport living plants we have severely felt the want of a garden on board, the boxes which we had made for that purpose not affording a sufficient protection to them, so that of upwards of 70 species, mostly taken up in good condition, scarce more than 10 of these, unfortunately the least interesting, have been brought alive here. These I have sent to Parramatta, where they will, in our absence, be taken care of by the Governor's gardener. I also intend leaving all my collection here, and Gov'r King has promised to place it where it will be safe from the white ants, dampness, &c. The transportation of living plants.

As Cap'n Flinders sends copies of his charts by the present opportunity, it is altogether unnecessary for me to enter into any account of our proceedings. It may not be improper, however, to state what opportunities I have enjoy'd of collecting. For the Captain Flinders's charts.

* Mr. Bauer (Ferdinand, one of two brothers)—"the eminent botanical painter," Robert Brown calls him—one of the most celebrated artists who have made botanically correct delineations of plants. The Australian Saxifrageous genus *Bauera* is called after him.

† Mr. P. Good, after whom *Goodia* (an Australian genus of leguminous plants was named) is thus referred to by Don: "Peter Good, a diligent botanical collector, who was employed in collecting seeds in New Holland for the Botanic Garden at Kew." He died at Port Jackson on 11th June, 1903.

- 1803** situations of places mentioned I must refer to the charts, as I was not in possession of their exact position. From King George's Sound to Port Phillip in Basses Strait we have anchor'd in six different places. The time spent at anchor amounts altogether to about two months, scarce more than half of which was, as a season, favourable for botany.
- 30 May.** At King George's Sound, 24 days ; nearly 500 sp. of plants.
Bay I, 4 days ; upwards of 100 add'l do.
Bay III,* a few hours.
- King George's Sound.**
- Time spent on shore.** Memory Cove, 3 days ; Bay X,† 7 days ; Inlet XII,‡ 3 days ; Inlet XIV,§ a few hours ; Kangaroo Island, 5 days ; King's Island, 1 day ; Port Phillip, 6 days. The No. of species much less considerable ; the season also too far advanced, and the country in many places entirely burnt. I did not, in all put together, add more than 150, and of these many were observ'd only with fruit.
- Other anchorages.** Our other anchorages were all either under the shelter of or in bays form'd by islands of no very considerable size, our stay at each seldom exceeding one day. On most of them I landed, but in all I hardly observ'd more than 12 species, both of animals and plants, which we did not find on the main.
- The French ships of discovery.** We have seen both the French discovery ships—*Le Geographe* at sea on the south coast, about a degree east from Kangaroo Island ; *Le Naturaliste* in Port Jackson, where she had put in a fortnight before our arrival, and which she left about 12 days ago. Of their past transactions I have learn'd a little ; of their future plan of operations, nothing to be depended on. My information comes mostly from the botanist and mineralogist of *Le Naturaliste*. From the Isle de France they made the south-west cape of N. Holland, and appear to have run along the greater part of the west coast, from which they proceeded to Timor ; from thence to their arrival at Van Dieman's Land I have learn'd nothing of their proceedings. Van Dieman's Land they seem to have minutely examin'd, especially towards its southern extremity ; they do not seem to have very accurately surveyed Basses Strait. Cap'n Baudin and the *Geographe* we met after having pass'd thro' it. He had neither been in Port Dalrymple or Western Port, nor had he discover'd Port Philip, or even King's Island. When we met him had not once anchor'd on the south coast.
- Their progress and movements.**
- Men of science.** Before finishing my letter I shall endeavour to procure a list of their astronomers, naturalists, painters, &c., of which they carried from France an uncommon number ; but the greater, and perhaps the better part, they left behind at the Isle de France, or have since lost by death.

* Fowler's Bay.

† Port Lincoln.

‡ An anchorage on Kangaroo Island.

§ Gulf of St. Vincent.

The only botanist now remaining with the expedition is Mr. **1803**
Lechnault,* a pupil of Jussieu.† He is a young man, and, as far as **30 May.**
 I could judge from my very short acquaintance with him, an **A botanist.**
 acute observer.

There are still two mineralogists and one zoologist, who is also **Other scien-**
 anthropologist. All their painters (for they had originally three) **tists.**
 left them at the Isle of France; two have since been appointed
 (by C. Baudin) who were before either assistants or employ'd in
 some other capacity in the expedition.

In Van Dieman's Land, Mr. Lechnault inform'd me, he had not
 found more than 200 species of plants.

On the west coast they do not appear to have collected very **The west**
 much; however, on this subject my information was not distinct. **coast.**
 A small collection of plants made at Shark's Bay I saw. They
 differ'd but little from those of King George's Sound.

I have beg'd Mr. Dryander to purchase 8 reams of paper for **Paper for**
 me, having lost a considerable part of what I brought from **preserving**
 England by dampness, mice, &c. As this is an indispensable **plants.**
 article, and as I certainly have not a sufficient quantity left for
 the remainder of the voyage, I am extremely anxious to receive
 it, and have therefore, least my letter to Mr. Dryander should
 not arrive, taken the liberty of repeating my request here. The
 kind of paper I wish to have is Imperial brown paper. It is fully
 the size of cartridge, and in many respects is much superior, both
 for drying and preserving specimens, especially of the rigid shrubs
 of this country, and, what is no small advantage in our situation,
 mice do not eat it.

I have also taken the liberty of sending under cover to you, in **Letters from**
 some measure to ensure their safety, two letters, one to my **Home.**
 mother, the other to my agents.

Mr. Caley, who lives at Parramatta, I have not yet seen, but
 Gov'r King has written him on the subject of his going with the
 Investigator, which he has declin'd.

I am, &c.,

ROBT. BROWN.

GOVERNMENT AND GENERAL ORDER.

4th June, 1802.

4 June.

His Excellency the Governor has been pleased to grant the follow-
 ing pardons and conditional emancipations, viz., four free pardons, **Pardons.**
 twenty-nine emancipations.

* Louis Théodore Leschenault de la Tour, botanist on board Le Géographe, author of a
 number of botanical works; amongst others a *Memoire sur la Végétation de la Nouvelle-*
Hollande et de la terre de Diémen (Voyage de découvertes aux terres australes pendant
 les années 1800-4 rédigé par (François) Péron, continué par Louis de Freycinet. Ed. ii.,
 Paris, Bertrand, 1824-8, vol. iv, pp. 327-53.) Robert Brown named the beautiful genus of
 Goodeniaceous plants called *Leschenaultia* after him. It almost exclusively occurs in
 Western Australia.

† Antoine Loirent de Jussieu, Professor of Botany at Paris. The family of de Jussieu for
 a century and a half included some of the most distinguished botanists of Europe.

1802

4 June.

No free pardons or emancipations, except on extraordinary occasions, will be granted or application attended to in future but on the King's Birthday; and it is to be understood that the candidates for a participation in His Majesty's mercy will be confined to those alone whose behaviour, merit, and industry may render suitable objects.

PHILIP GIDLEY KING.

GOVERNOR KING TO UNDER SECRETARY KING.*

5 June.

Dear Sir,

Sydney, 5th June, 1802.

State of the colony.

Having written you so fully by Lieut. McKellar, and not doubting of his safe arrival, I do not trouble you with a duplicate of the private letters, to which I must refer you. We are now going on in a tolerable strait path of order and regularity, and excepting now and then a few discontented Irish make their appearance, the colony has not enjoyed such a calm for some years—I mean individuals; for respecting myself, it requires every exertion to keep up those orders and restrictions I have had so much trouble to effect. However, time and perseverance will do much.

Food supplies.

Previous to the arrival of the American,† our prospects were bad with respect to animal food, of which you observe how short we were, and how much the stock must have suffered. I have not admitted more than two-thirds ration of meat, and our grain will not admit a greater proportion being issued. We are in daily hopes of seeing a vessel from England. Since we have heard the account of the wreck, I fear much she is one of the Irish ships.‡

Meat purchased.

As the meat purchased from the American (which I think is at least 2d. per lb. cheaper than it can be bought for in England) will keep off the evil day until supplies do arrive, we shall do very well for meat for at least twenty weeks longer. My plan of letting the deserving provide for themselves under proper restrictions has eased Government of a great expence, and as I am now turning all the attention I can to publick cultivation, I hope those expences will still decrease. You will see what they were last year. Purchasing this meat from the America will make our present year's expence greater in the colony, but less in England.

Pork from Otaheite.

The Porpoise is gone to Otaheite for pork, but the Norfolk is not yet returned. I hope she is safe.§ The supply from the Islands is quite eventual; it will, therefore, be necessary to supply us for some time longer with salt meat, until the increase of our stock

* A private letter.

† The vessel's name was the Arthur.

‡ William Campbell, master of the Harrington, reported to King that in March, 1802, when at anchor near King Island, a quantity of wreckage was found. There was nothing to show what the name of the vessel was, nor was any clue subsequently discovered by which the vessel could be identified. The Harrington remained at anchor over two months, but nothing pointing to the nationality of the vessel or her crew was found, except, in the language of the captain, "one dead English cat."

§ The Norfolk was wrecked at Otaheite on the 23rd March, 1802.

renders it less necessary ; but if great numbers of people are sent, the time of no longer needing the supplies of salt meat must be necessarily prolonged. The necessary reduction of publick labour, as the ration is reduced, is of great consequence to us, although the expence is considerably lessened. I must mention that when the ration of salt meat was reduced to 2 oz. a day, every one was contented ; however, I do not attribute this to any motive of love. In one of my private letters by Lieut. McKellar, I stated my ideas respecting the hint you gave me of what might be done with our present military. Should that measure be adopted, I hope some care will be taken in the selection of the officers. Government may count on at least 250 of the present privates and non-commissioned officers entering, which would save a great expence in raising and sending others out ; and justice to the soldiers requires my saying that since I have been in the command, their conduct has been regular and good, and, in many instances, very praiseworthy ; nor can I, with justice, say that a stigma ought to be thrown on all the officers. Their conduct generally has been proper since I took the command ; but the turbulent characters pointed out by Colonel Paterson and myself have influenced the others so much as to make it necessary that if Captain McArthur is allowed to return here, and some notice is not taken of the other officers' conduct, my recall, or permission to return, will be absolutely necessary, to prevent such steps being taken by me as will not much tend to the quiet and good of the colony ; for to serve under such a set as will then be in the colony, is what neither my pride will stoop to, nor situation allow of. If I speak too decidedly on this subject, I hope you will make some allowances for what I have already gone through, and what I have still to do.

1802

5 Juné.

Rations.

King and
the soldiers.Captain
Macarthur.

There were some Government debts left unpaid here—I mean by Gov'r Hunter, Mr. Williamson (late Acting-Commissary), Captain Johnston, and Captain Prentice—which I was told by Governor Hunter were to be settled and paid in England. I wish to know whether they have been paid or not, as they amount to a great sum by our books.

Government
debtors.

I hope you will cause my representation respecting the payment of articles supplied the Porpoise or other King's ships to be settled, as it takes a considerable sum from our Colonial stores. I think the best way would be for that and other King's ships to be furnished independent of the stores when it can be done, by sending what is wanted from England by the whalers, which is the cheapest way ; and when these supplies are not sent, to purchase them, and draw on the respective Boards. Respecting the stores, &c., now demanded, they are necessary to prevent purchasing from ships, which must often be done at 100 p'r cent. Of slops we shall have few or none after the next serving in July. At Norfolk Island

Provisioning
King's ships.

Stores.

- 1802 they now have none. I, therefore, hope a proportion will be sent
as soon as possible, otherwise we shall not only be *sans culottes*,
5 June. but *sans chemises*. A good character to direct the growth and
manufacture of the flax plant is now necessary, as the man who
had charge of it was such a determined "Croppy" that I have
sent him away.
- Officers. We are much in want of the officers, civil and military, who are
now in England, or others in their room being sent out as soon as
possible. I have mentioned this in my publick letters, as I
understand the Rev'd Mr. Johnston does not mean to return; nor
has Mr. Haddock made his appearance. I hope one will be sent
out. I wrote some time ago to Mr. Chinnery for the latter's
pay being stopped, and have also mentioned it in my letter
No. 6, March 1st.*
- Port Phillip and Coal River. What I have said respecting another settlement in the Straits,
I hope will be attended to.† Unfortunately, I have no person to
send, or stores, otherwise I would go about it immediately. The
little settlement I made at the Coal River was obliged to be with-
drawn, from the improper conduct of the person I entrusted it
with. As an addition to the establishment will be necessary, I
can take no steps in this until I hear from England.
- Irish con- I wish the Irish Government would send some clever, obstinate,
victs. loyal fellow to take charge of some of his countrymen, who now
ought to be mixed and sent to another settlement. I have drafted
as many as possible, or that I can with safety, to Norfolk Island.
- The Governor's salary. No port wine has been sent here since the ten pipes by the Royal
Admiral. I applied for fifteen pipes, which I hope will be sent.
- I must now close this letter, and request that if my full salary
is not paid, you will have the goodness to procure me that relief,
for I do assure you I have strictly earned it, and expended it
almost.
- With every sincere wish for your health, and that of your
family, I am, &c.,
PHILIP GIDLEY KING.
- GOVERNOR KING TO SIR JOSEPH BANKS.
- Dear Sir, 5th June, 1802.
- By Capt. McKellar you will have learned that I retained
The Lady Nelson sent to Bass Strait. the Lady Nelson 'till November, when, finding the Investigator
did not arrive, I was unwilling to lose so much of the summer,
and sent her to the Straits, expecting she might fall in there
with the Inves'r. The young man ‡ who commands her did very
well. He remained out from 9th Nov. till 28th March, and as I

* Ante, p. 719.

† See Governor King's letter to the Duke of Portland, 21st May, 1802, ante, p. 706, in which he proposed that a settlement should be founded at Port Phillip; and also King to Banks, which follows.

‡ Acting Lieutenant John Murray.

closed my despatches I could say but little about what he had done at that time. However, I now have the pleasure of saying that in this trip he ascertained everything on the east, north, S.E. sides of King's Island, which he made a very good sketch as well as the passage through and coves in Kent's Group. He discovered a spacious harbour about six leagues to the west of Western Port which I named Port Phillip, after my worthy dear friend the Admiral, who until now has not had his name owed on either stick or stone in the colony. I have sent Mr. Murray's journal to the Adm'ty, with a chart* containing his discoveries, together with his tracks and those of other vessels which have passed thro' the Straits. I have also sent a letter directing the *Naturaliste*, which arrived here April 24th, and the Investigator, 9th May. Under the persuasion that you will see my letter, either at the Adm'ty or Whitehall, I shall say nothing more about it, as the whaler this goes by is in a great hurry to home before winter, that you may not be left in darkness. Investigator is refitting, and will sail, I hope, in a month, accompanied by the *Lady Nelson*, which is, and has been, a most valuable vessel to this colony and the service she is going on; as the young man who commands her has passed for a lieutenant, has hitherto acquitted himself much to my satisfaction (convinced he is neither astronomer or surveyor, but aspires to both), should it occur, and an opportunity happen, I shall be much obliged to your saying a word in his favour at the Admiralty. I have been particularly about him in my letter to the Admiralty. As Captain Flinders will tell his own story what he has done, I think, should accidents happen in the business he has to perform, that a complete survey will be made. The *Naturaliste* did not remain more than fourteen days. We expect the *Geographe* here. The Commander has been looking for the *Naturaliste*, and for him. Rendezvous they had none, for while the *Naturaliste* here Flinders met the *Geographe* six degrees to the westward of Bass Straits. Previous to the *Naturaliste*'s sailing we had an exact account of peace:

My Captain Flinders I received yours of June 22nd and July 1st. With your usual goodness you inform me of the advantageous results made of me. As it is my only study to merit your approbation, and as for others I am callous to what those about me say or think. There are two things that set me much at variance with those about me—first, my determination that the public shall not be cheated; and next, that the King's authority shall not be slighted. I could enlarge very much; however, trusting you will excuse my despatches, I must refer you to them. The former system

unfortunately this chart is not available. The journal, as already stated, will be found in Milliere's *Early History of the Colony of Victoria*, vol. i, p. 72 et seq. These two letters are not available.

1802

5 June.

The information gained.

Port Phillip.

Acting Lieutenant Murray's chart.

Le *Naturaliste* and the Investigator.

The Investigator refitting.

Lieutenant Grant.

Prospects of Flinders's survey.

Le *Naturaliste* and Le *Geographe*.

King desirous of Banks's approbation.

His motives.

- 1802**
5 June.
Monopoly and extortion.
A new settlement.
The live stock.
- of monopoly and extortion I hope are now eradicated. Of spirits I think the inundation is going off, and industry begins to know her produce will not be sacrificed to the infamous wretches that have preyed on the vitals of this colony.
- I have begun a new settlement* eight miles to the northward of Parramatta, which is doing extremely well. The country and soil is well adapted for cultivation and grazing, and extends equally good as far as the Hawkesbury. Our herds of tame cattle are increasing so fast that we are obliged to be constantly erecting new stockyards. This species of stock thrive wonderfully well.
- I do not recollect what things I sent by the Buffalo besides the duck-bill, the Spanish wool, and Cayley's boxes. The first I hope got safe and perfect, as no pains or spirits were spared to preserve it. I will enquire respecting the other species, and do as you desire. I sent some rubbish by the Albion which I hope you received safe. I send by this conveyance the articles named in the enclosed list. The printed paper will explain how I came by the head. The bearer of it you will find mentioned in Collins's books. Altho' a terrible pest to the colony, he was a brave and independent character. Understanding that the possession of a New Hollander's head is among the desiderata, I have put it in spirits and forward it by the Speedy. I also send a box containing specimens of the fustic which grows in great abundance at the Coal Harbour or Hunter's River. Respecting the salt, I believe the specimens Governor Hunter gave you were good ones. I now send a large lump in a box, which I can assure you was taken from a hollow in the mountains. I did intend to have sent a party early in March, under the direction of Ensign Barallier, and to have had a chain of depôts for provisions, to ascertain the circumstance of the salt and several other objects, but the rain unfortunately set in, which will prevent this expedition taking place before next October, when I hope we shall be able to make a good job of it. Cayley has made new attempts to get to the mountains, and has once crossed the Nepean. With all his faults, which he cannot help, I believe him clever and faithful, except that he certainly supplies Colville, to whom I am informed he has sent parcels by the Speedy. Notwithstanding this, and all his eccentricities, I believe fulfilling your wishes and expectations is his constant study.
- Natural history specimens.**
An aboriginal's skull.
Ensign Barrallier.
Caley's tour.
Mineral discoveries.
A deposit of salt.
- While the Naturaliste was here the mineralogist made experiments on the ferruginous stones that abound here. He says they contain too small a portion of iron for working, but that a profitable substance might be got from them for glazing porcelain. He could not discover any limestone. He says none was to be found on the S.W. coast, but the Investigator says different.
- Capt. Flinders tells me that on one of the northernmost of the islands that form D'Entrecasteaux Straits or Archipelago they

* Evidently Castle Hill—ante, pp. 467, 714.

found a very considerable salt-pit, which would supply this colony. **1802**
 This is an information I will avail myself of as soon as summer **5 June.**
 approaches and I have a vessel I can send. At present the Porpoise is gone to the Society Islands in quest of salt pork, and the other Colonial vessels cannot be spared; neither would the season be favourable if they were at leisure. However, it is an object of too much consequence to pass over or neglect. I should have sent you a copy of the charts for the Lady Nelson's last voyage; but as I have requested the Adm'ty and Sect'y of State to allow them to be printed until Flinders can complete and arrange his surveys, I hope you will have some direction therein. This is rendered still more necessary from an information I have received from a vessel* that has returned here from sealing after being four months absent, six weeks of which time they were in a very snug place on the west side of King's Island, filling with prime sealskins and elephant oyl. * * * * †

Pork from
Otaheite.

The Lady
Nelson's
voyage.

King's
Island.

I have in a very earnest manner recommended the making a settlement at Port Phillip,† for the very advantageous account given of it, both by Capt. Flinders and Lieut. Murray—its relative situation to this colony requires it. The soil is excellent, and the timber thin, added to which the security and expansiveness of the harbor seems to point it out as absolutely necessary that a settlement should be made there; nor can there be a doubt of its being a better wheat country than this, from its being in a higher latitude. So fully convinced am I of the utility this would be of to this colony that I would have decided on this measure before I heard from England; but the truth is, I have not a person I can spare or trust with such a commission. The great abundance of sea elephants, prime and other seals, that are throughout these Straits and all up the south-west coast, will make this a place of great resort, if the oyl of the elephant or skins are held in request, but at present we are told that the China market is quite glutted with them; however, that may not always be the case.

Good site for
a settlement.

Seals and sea
elephants.

No market
for oil.

The whale-fishing on this coast and off New Zealand may now be pronounced established. A full whaler takes these letters Home, another is almost ready to follow, and four more are filling with very good success. In order to set Government *au fait*, I have put some queries to three of the whaling masters who are now in here. The answers I have sent Home to the Adm'ty and Sect'y of State, also another copy to one of the principal owners, which, of course, you will see; but I have no doubt, from the success they have had, you will observe how deserving that employ is of encouragement and protection from Government.

The whaling
industry

deserving of
encourage-
ment.

* The Harrington, whaler, Captain Campbell.

† Omitted, being practically a repetition of parts of the Governor's letter to Under-Secretary King, ante, p. 780.

‡ See Governor King's letter to the Secretary of State of 21st May, 1802, ante, p. 766.

1802

5 June.
The French
expedition.

The
scientists on
the Investi-
gator.

What political object the French have in view of exploring this coast I do not know, but I suspect they have a settlement on the west coast in view. I hear of no other new discovery they made except a very large bay* between Swan River and the east point of the Land of Lyons. Should that be the case, is it not more incumbent on us to make a settlement at a place so advantageously situated as Port Phillip certainly is? Mr. Brown sends a box of seeds by this conveyance. All the scientific folks on board the Investigator appear very assiduous. They talk of a walk to the mountains. With my sincere wishes for your health, and my respects to Lady and Miss Banks, I beg to assure you of the respect with which I am,

Yours, &c.,

—————
PHILIP GIDLEY KING.

EX-GOVERNOR HUNTER TO LORD HOBART.

7 June.
Hunter in
London.

My Lord, No. 40, Cornhill, 7th June, 1802.

His services
in the
colony.

Will he have
a pension?

After having to my very great inconvenience continued in town from the time of my arrival from New South Wales to the present day, and during that time having by every means in my power shown the interest I have felt in the prosperity of that settlement, in affording to the different public boards such information as I thought might be usefull and promote its advantage, your Lordship will not, I hope, feel surprize that I should in some way or other endeavour to remind you of my situation. Having spent many years in the service of that colony, few will doubt my acquaintance with its general concerns and its true interests, nor can my zeal and exertions for its welfare be denied by any, because a comparison between its state when it fell under my authority and that in which I left it, will be sufficient proof how constantly I had kept its real interest before me. Yet, my Lord, I cannot learn if I may hope to be placed on the establishment of the settlement for a consideration or provision for my past services and future support.

Pardon me, my Lord, if I observe that should your Lordship's services be required in any other department of the State than that at which you now preside, or should the concerns of that colony be hereafter removed to any other office, I shall be left without any prospect of success. On your Lordship, therefore, I must continue to rest my hope, and to press the consideration of my claim.

I have, &c.,

—————
J^{NO}. HUNTER.

GOVERNMENT AND GENERAL ORDER.

8 June.
The quar-
terly ac-
counts.

8th June, 1802.

THE Governor has directed the Commissary not to take up any receipts for grain given into the stores for payment for a longer time than seven days after the quarters expire, and that he closes

* Evidently Geographe Bay, named after Le Géographe.

the quarterly account by the 20th of the month following the **1802**
quarter days, after which time no public claims are to be made, or **8 June.**
attention paid to them.

Such a proportion of slop clothing as the stores may admit of **Convicts'**
will be issued to those prisoners who labour for Government, at 2 **clothing.**
o'clock on Tuesday afternoon, the 15th instant, at the respective
settlements.

Those who have obtained absolute emancipation, and who leave **Emanci-**
the colony, will do well to enquire if the counterpart of such pardon **pists.**
has been sent to England, otherwise they may be taken up.

PHILIP GIDLEY KING.

LIST of convict ships attended to by Sir J. Fitzpatrick, 1795 to **Transporta-**
1802.* **tion statis-**

Tonnage.	Ship's Names.	Number of Convicts.	Arrivals at Portsmouth.	Sailing from Portsmouth, Cowes, &c., for Botany Bay.
654	Marquis Cornwallis ..	224	27 June, 1795 ..	7 Aug., 1795.
351	Indispensible ..	133	5 Oct., 1796 ..	11 Nov., 1796.
500	Britannia ..	200	5 Oct., ..	10 Dec., "
600	Ganges ..	194	15 Oct., ..	10 Dec., "
482	Lady Shore ..	68	15 April, 1797 ..	22 April, 1797.
796	Barwell ..	296	15 Oct., ..	6 Nov., "
302	Britannia ..	96	10 Jan., 1798 ..	17 Feb., 1798.
792	Hillsborough ..	299	17 Nov., ..	10 Dec., "
914	Royal Admiral ..	300	20 April, 1800 ..	28 May, 1800.
794	Earl Cornwallis ..	288	14 Sept., ..	18 Nov., "
403	Canada ..	100	20 May, 1801 ..	21 June, 1801.
407	Minorca ..	100	27 May, ..	21 June, "
320	Nile ..	98	20 May, ..	21 June, "
522	Coromandel ..	136	12 Jan., 1802 ..	.....
362	Perseus ..	114	1 Jan., ..	12 Feb., 1802.

GOVERNMENT AND GENERAL ORDER.

11th June, 1802. **11 June.**

THE former Orders respecting no slops or articles issued to those at
public labour being sold or purchased are to be strictly attended to.

It is once more directed that those who have not paid their **Crown**
Government debts do make immediate payment in maize or wheat **debtors.**
to the utmost of their ability; otherwise it will be necessary for
the Commissary to procure payment by means which will not be
resorted to without much reluctance.

PHILIP GIDLEY KING.

* This statement was forwarded by Sir J. Fitzpatrick to the Duke of Portland, in support
of a claim for remuneration for extra services performed.

1802

GOVERNMENT AND GENERAL ORDER.

13 June.

13th June, 1802.

King's ap-
pointment.

His Majesty's Principal Secretary of State for the Colonies has communicated His Majesty's commands and appointment of Captain Philip Gidley King, of the Royal Navy, to be his Governor and Commander-in-Chief of the territory of New South Wales in the room of the late Governor Hunter; and also that His Majesty had been pleased to confirm the appointment of Richard Atkins, Esq., to the office of Judge-Advocate of the territory; and that His Majesty had been pleased to allow of the respites left under sentence of death and transportation by Governor Hunter to be pardoned on such terms as His Excellency may judge proper for the ends of justice; and on taking into consideration the length of time Isaac Nicholls, William Collins, John William Lancashire, Edward Powell, Simon Freebody, James Metcalf, William Timms, William Butler, and Chapman Morris have been in a state of suspense, and from their general good conduct in that period, His Excellency is pleased to direct a free pardon to be made out forthwith for Isaac Nicholls, and conditional emancipation for the other persons abovenamed.

Free par-
dons.

PHILIP GIDLEY KING.

WAR OFFICE TO SECRETARY SULLIVAN.

14 June.

Sir,

War Office, 14th June, 1802.

The New
South Wales
Corps.

Having laid before the Secretary at War your letter of the 18th ult., and the several papers enclosed therein, I am directed to acquaint you, for the information of Lord Hobart, that the men of the New South Wales Corps have never been subject to any stoppage on account of provisions while serving in that settlement, nor are they so at present. On the contrary, they have continued to receive the full subsistence and consolidated allowance of the soldier, as they existed prior to 25th May, 1797, and now receive the same together with the respective nett sums then granted to the non-commissioned officers, drummers, and private men, beyond what they had been previously entitled to when serving abroad. The enclosed memorandum, stating in detail the case of the private soldier, will, it is conceived, explain this to Lord Hobart's entire satisfaction; and the Duke of Yorke has only further to observe that the stoppage for the rations of provisions is only twopence half-penny from the pay of each man, and that on those stations abroad where the soldier is liable to stoppage on that account the private man's nett pay is only sixpence a day.

I have, &c.,

M. LEWIS.

[Enclosure.]		1802	
MEMORANDUM relative to the Pay of the Private Soldier at Home		14 June.	
and in New South Wales referred to.*		The pay of the private soldier at Home and abroad.	
	Received by the Private Soldier of Foot at Home.	Received by the Private Soldier of Foot in New South Wales.	
Full subsistence prior to the 25th May, 1797...	6d. per diem.	6d. per diem.	
Consolidated allowance do. ...	2½d. „	½d. „	
Extra price of bread and meat do. ...	1½d. „	— „	
Nett addition made from the above rate ...	2d. „	2d. „	
Augmented pay of the Private Soldier of Foot when not subject to a stoppage for provisions 1s. „	„	8½d. „	

GOVERNMENT AND GENERAL ORDER.

14th June, 1802.

THE Governor is instructed to direct the Commissary to conform to the following weekly proportion as a full ration for those necessarily provisioned from the public stores, whenever the state of the stores will admit thereof, viz. :—

Beef, 7 pounds, or pork 4 pounds ; flour or meal, 8 pounds, or the addition of a quarter of a pound of wheat for each pound of flour if the wheat cannot be ground.

Pease or other pulse, 3 pounds ; sugar, 6 ounces, in lieu of 6 ounces of butter to the civil and military establishments.

Five pipes of port wine are received by the Coromandel which the Commissary is directed to distribute in the following proportions to the commissioned officers, civil and military, at this place and at Norfolk Island.

SYDNEY.				
To the Governor	...	...	...	1 pipe.
Lieut.-Governor	...	...	...	1 hhd.
Military officers	...	...	...	1½ pipe.
Civil officers	...	...	...	1 pipe.
NORFOLK ISLAND.				
Lieut.-Governor	...	...	...	1 hhd.
Officers, civil and military	...	...	...	1 hhd.

A person to be appointed by Lieut.-Col. Paterson to receive the proportion for the military officers, who is to give the Commissary an order on the Paymaster for £42 15s. for each pipe delivered. The officers of the civil department to give the Commissary their notes-of-hand on delivery of the wine. A similar quantity being on board the Perseus will be divided in the same proportion.

Half the investment of articles of use for the inhabitants (to be exchanged for grain), is arrived in the Coromandel, and the other half is expected in the Perseus, which will be disposed of at the

* On this letter is the following memo., in lead pencil, unsigned :—“This letter is not a proper view of the situation of a soldier abroad. He was entitled to the same pay as the soldiers at Home. When supplied with full rations by the public he had, prior to 1797, 4d., and after 1797, 6d. nett. When supplied with a portion of his ration by the colony he had, after 1797, 8½d. a day nett, and where he found his own provisions he received 1s.”

1802 advance of 50 per cent. on the prime cost in exchange, agreeable to the directions of the Secretary of State for the Colonies.

14 June.

An
ad valorem
duty.

Goods of all kinds brought for sale by individuals, from any port to the eastward of the Cape of Good Hope, are to pay a duty of 5 per cent. *ad valorem* on the price they were laid in at, which must be attested before the Governor, exclusive of the wharfage; and the duty on spirits and wines, goods of all kinds, except of British manufacture, brought from any part of the world, are to pay a similar duty. The monies arising from this fund to be appropriated to the orphan establishment of this colony, which, the Governor is happy to inform the inhabitants, has received His Majesty's most gracious support and assurance of protection.

80 per cent.
profit.

The Governor has it in command to prevent and prohibit any person in this Government from paying more than 80 per cent. on the prime cost of all articles.

The Principal Secretary of State for the Colonies having notified the happy event of a peace being established between His Britannick Majesty and the French Republick, His Majesty's Proclamation on that behalf is this day made public.

Clothing.

The issue of slops, which was to have taken place to-morrow, is deferred till Saturday, the 26th instant, a proportion being arrived which will enable the Commissary to make the serving more complete.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

16 June.

Assigned
servants.

16th June, 1802.

THOSE who have been allowed to take prisoners off the stores, and who are in want of slop cloathing, in the proportion of one suit for each man, are to deliver to the Governor's Secretary a list of their names, on or before Saturday, the 19th inst., and to lodge wheat or maize in the store equal to the value of the slops, before the first Friday in July, when slops will be issued to that description of people. The receiving days will be Mondays and Fridays for the maize or wheat.

No officer's servant, or prisoner allowed to superintendants, overseer's, &c., will be allowed to receive slops, unless those to whom they are allotted give their names in to the Governor's Secretary on or before Thursday, the 25th instant.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

24 June.

Clothing for
convicts.

24th June, 1802.

THE following proportion of slops will be issued to the male prisoners victualled by Government and at public labour, to-morrow (Friday) and Saturday afternoons, at 2 o'clock, at the respective settlements, viz. :—

A shirt or frock.

A jacket.

A pair of trowsers or breeches.

A hat.

Two pair of stockings.

A pair of shoes.

The overseer's are to give a list of their gangs in to the Secretary's office, at Sydney, and to the Rev. Mr. Marsden, at Parramatta, before 12 o'clock to-morrow, and to have their men at the dry stores at 2 o'clock, when they will receive their proportions. 1802
24 June.
Overseers' gangs.

The officers' servants will be served their proportions on Tuesday next, the 29th inst., at 10 o'clock.

And those who have prisoners off the store, and have delivered wheat or maize into the stores in payment for the slops, will receive their proportions on Friday the 2nd and Saturday the 3rd of July next.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

25th June, 1802. 25 June.

THE Commissary is directed to charge those who may be allowed to receive slops for the prisoners assigned to them, £2 4s. 7d. for each suit, or in that proportion, for such articles as the stores may afford, agreeable to the Treasury directions. Price of prisoners' clothing.

It is to be observed that when any prisoner is sent from one settlement to another as a punishment by a magistrate, they will not be removed until the time limited by the magistrate expires.

As the magistrates exert themselves in a very laudable manner for the preservation of order and regularity in the different settlements, it is the Governor's determination not to allow of any deviation from their decisions which he may approve of; therefore, no applications on that behalf will in future be attended to, as the dissolute and vicious alone will become the objects of those punishments. The magistrates.

John Bowman and Wm. Skinner, settlers at the Hawkesbury, are fined £5 each for harbouring and employing the convict servants of an officer, and in disobedience of the Public Orders on that behalf.

PHILIP GIDLEY KING.

CAPTAIN LUCKYN BETTS TO GOVERNOR KING.

(King Papers.)

Sir, Ship Hercules, Sydney Cove, 26th June, 1802. 26 June.

On the 29th Dec'r, 1801, about $\frac{1}{4}$ past 2 p.m., Captain Wilson,* passenger, my first officer, surgeon, and purser, together with two lady passengers and myself, being at dinner in the cabin, and the seamen employed in different parts of the ship, and the troops (excepting two centinels who were stationed on the quarter deck), being between decks and without arms, we were all suddenly alarmed by the cries of the convict women who were on the round A mutiny planned.

* Captain Wilson was the officer in charge of the troops.

- 1802** house, and who had perceived the intentions of the male convicts
26 June. to force the two centinels on the starboard side, and who were
 then in possession of the quarter deck ; having overpowered the
 centinel, the officer of the deck and man who was at the wheel
 were not to be found. Under these circumstances of alarm and
Prompt danger, I came forward with my officers and Captain Wilson, and
measures. immediately shot one man who had a blunderbus presented at me,
 but the piece did not go off. Some more of the insurgents were
 killed by the rest of the party, and the convicts seeing their
 intentions frustrated, ran forward as speedily as they came aft ;
 and the ship's company and troops now being collected together
 began to vent their rage upon such of the insurgents as were to
 be found on deck, in beating them with cutlasses and the butt
 ends of their muskets, until at length they forced them down into
 the prison.
- The out-** When the tumult had entirely subsided we found twelve of
break the convicts killed and ten wounded, two of whom died soon
quelled. after.
- The list of** It may be necessary to remark that J——h P——s, who towards
killed and the latter end of the affray I had been obliged to shoot, was a
wounded. desperate ringleader, and a man that had been reported to me as
 a person singled out to head another party in case the first had
 failed. The person from whom I had this information was J——s
The ring- T——y, and who then conceived himself in a dying state ; he is
leader, now living.
and in- I have, &c.,
former.

— LUCKYN BETTS.

GOVERNMENT AND GENERAL ORDER.

- 28 June.** **28th June.**
LIEUTENANT-COLONEL PATERSON will direct a captain to take post
 at Parramatta.
- Surgeon** It is His Majesty's pleasure that Mr. Thomas Jamison, staff-
Jamison. surgeon of this territory, shall, on the resignation or death of Mr.
 Wm. Balmain, succeed to the situation of Surgeon-General of New
 South Wales, without any reference to the date of his present
 commission. Mr. Jamison, being arrived, is to act as Surgeon-
 General during the absence of Mr. Balmain.
- Surgeon** Mr. James Thomson, staff-surgeon, is to hold himself in readi-
Thomson. ness to embark for Norfolk Island as surgeon to that settlement.
- In consequence of the intercession of the Commandant of the
 French Expedition of Discoveries, His Excellency has granted a
 pardon to Wm. Russell, now under sentence of death, conditionally
 on his being transported to Norfolk Island for life.

PHILIP GIDLEY KING.

SHIPPING RETURNS.

793

SHIPPING RETURN, INWARDS.

A List of Ships and Vessels which have enter'd Inwards in the Harbour of Port Jackson, in His Majesty's Territory of New South Wales, between the 1st day of Jan'y, 1802, and the 30th day of June, following, with the particular quantity and quality of the lading of each vessel.

Time of Entry.	Vessel's name.	Master's name.	Built.	Number of			Where and when built.	Where and when registered.	Owner's name.	General cargo.	From whence.
				Tons.	Guins.	Men.					
— Jan.	Fly ..	— Turner ..	Foreign	290	24	100	Bombay ..	Bombay ..	Honble E. I. Company's Cruiser.	.....	Bombay.
24 "	Harrington ..	Wm. Campbell.	"	100	6	39	Calcutta ..	Calcutta ..	Messrs. Chace & Co.	.....	Norfolk Island.
18 Feb.	Margaret ..	Jno. Buyers ..	British	121	10	15	1769 ..	London ..	Turnbull & Co.	General cargo...	Coast of Peru.
26 April	Naturaliste ..	Eml. Hamelin..	Foreign	350	8	100	France ..	France ..	Republic ..	On discoveries	Whaling.
30 "	Speedy ..	Geo. Quested ..	British	313	..	24	London ..	London ..	Enderby & Co.	170 tons sperm oil.	England.
9 May	Investigator ..	M. Flinders ..	"	20	83	..	Deptford ..	"	H.M.S. Champion	On discoveries	Whaling.
10 "	Venus ..	B. Gardener ..	"	295	10	24	County of Dorset	"	Enderby & Co.	550 barrels oil	"
12 "	Britannia ..	Rt. Turnbull ..	"	301	6	24	Somerset ..	Providence	Brown & Co.	1,300 " mer-	Providence.
21 "	Arthur ..	Scot. Tiches ..	Foreign	295	6	90	..	..	..	General chandise	..
1 June	Harrington ..	Rt. Campbell ..	"	100	6	39	Calcutta ..	Calcutta ..	Chace & Co.	5,000 gall. oil and 5,200 skins	Sealing.
13 "	Coromandel ..	A. Sterling ..	"	522	12	44	Chittagong	London ..	Reeve & Co.	General mer-	England.
18 "	Geographie ..	Comde. Baudin	British	338	..	33	France ..	France ..	Republic ..	On discoveries	Whaling.
25 "	Greenwich ..	A. Laws ..	Foreign	382	4	24	London ..	London ..	Enderby & Co.	1,000 barrels oil	"
26 "	General Boyd ..	— Bunker ..	British	395	10	32	America ..	"	Watson & Co.	50 tons oil	Ireland.
"	Hercules ..	L. Betts ..	British	395	10	32	Newcastle	"	Stann. Temple	General mer-	"
28 "	Naturaliste ..	Eml. Hamelin..	Foreign	350	8	100	France ..	France ..	Republic ..	On discoveries	..

W. N. CHAPMAN, Naval Officer.

1803
30 June.

Ships entered inwards at Port Jackson.

1802
30 June.
Ships
cleared
outwards
from Port
Jackson.

SHIPPING RETURN, OUTWARDS.

A List of Ships and Vessels which have clear'd Outwards from the Harbour of Port Jackson in His Majesty's Colony of New South Wales, between the 1st day of Jan'y 1802, and the 30th day of June following, with the particular quantity and quality of the lading of each vessel

Time of clearing.	Ship's name.	Master's name.	Built.	Tons.	Guns.	Men.	Where and when built.	Where and when registered.	(owner's name.	General cargo.	Whither bound.	Where and when bound given.
6 Feb.	Canada ..	Wm. Wilkinson	British	403	10	38	Newcastle, Mch. 13, 1801	London, 1801	F. & T. Curry	Ballast..	China	Sydney, Nov., 1801
"	Nile ..	Jas. Hunter	"	322	10	30	"	"	"	"	"	"
"	Minorea ..	Jno. Leith	"	407	10	36	"	"	"	"	"	"
"	Fly ..	— Turner	Foreign	200	24	107	Bombay ..	Bombay	Hon'ble E. I. Company's	Cruiser	Doulay	"
20 "	Snow-Harring- ton.	Wm. Campbell	"	180	6	30	Calcutta	Calcutta	Chace & Co.	Ballast	Sealing	June, 1801
29 Mch.	Schooner Caro- line.	St. Tuckerman	"	103	2	9	New Bedford	New Bedford	Swain & Co.	"	New Bedford	Decr., 1801
1 May.	Nautilus ..	R. Simpson	"	60	14	10	Calcutta	Fort William	Rt. Berry	"	Eastw'd	Sept., 1801
18 "	Naturaliste ..	E. Hamelin	"	350	8	100	France ..	France	Republick	On discoveries	"	"
5 June.	Big Margaret ..	Jno. Buyers	British	121	10	28	Novr., 1797	London	Turnbull & Co	Ballast	Sealing	Feb'y., 1802
6 "	Speedy ..	G. Quesled	"	313	0	24	London, 1779	London, 1791	Enderbys	170 tons sperm oil.	Whaling	Jan'y., 1800
12 "	Briannia ..	R. Turnbull	"	301	6	24	C. of Dorset, 1783.	London, 1787	Enderbys	1,300 barrels, do.	"	Mch., 1801
26 "	Venus ..	B. Gardner	"	235	10	24	Deptford, 1788.	London, 1800	Champions	550 do. do.	"	Sept., 1801

W. N. SHAPMAN, Naval Officer.

PROCLAMATION.*

30th June, 1802.

1802

WHEREAS a despatch† by the Coromandel has been received from the Principal Secretary of State for the Colonies, containing His Majesty's commands, that notwithstanding his permitting the Governor to remit the punishment of the five persons tried by a Court of Criminal Judicature on the 18th of October, 1799,‡ for wantonly killing two of the natives, yet "it should, at the same time, be clearly understood that on future occasions any instance of injustice or wanton cruelty towards the natives will be punished with the utmost severity of the law." And His Majesty having at the same time recommended that every means should (after the receipt of those despatches) be used to conciliate the goodwill of the natives, I do hereby strictly forbid any of His Majesty's subjects, resident or stationary in this colony, from using any act of injustice or wanton cruelty towards the natives, on pain of being dealt with in the same manner as if such act of injustice or wanton cruelty should be committed against the persons and estates of any of His Majesty's subjects; but at the same time that His Majesty forbids any act of injustice or wanton cruelty to the natives, yet the settler is not to suffer his property to be invaded, or his existence endangered by them, in preserving which he is to use effectual, but at the same time the most humane, means of resisting such attacks, but always observing a great degree of forbearance and plain dealing with the natives appears the only means they can adopt to avoid future attacks, and to continue the present good understanding that exists. PHILIP GIDLEY KING.

30 June.
Murder of
native boys.

Protection
of natives.

Self-preser-
vation.

GOVERNOR KING TO CAPTAIN ALEX'R STIRLING. (King Papers.)

Sir,

Sydney, 30th June, 1802.

Your good conduct in discharging the trust assigned you of bringing convicts to this colony in the Coromandel merits the fullest testimonial of my approbation.

The Coro-
mandel.

* In the original Order-book this proclamation is preceded by part of a draft proclamation in the handwriting of Governor King's secretary (Mr. W. N. Chapman), which has been scored through and partially obliterated. Evidently the Governor discarded it in favour of the above proclamation. The draft, as far as it can be deciphered, runs as follows:—"Whereas, in consequence of the outrages committed by the natives in murdering Dan'l Conroy, stockkeeper, and severely wounding Mr. Smith, settler, in a wanton and inhuman manner, it was directed by the General Orders of the 1st May, 1801, that the natives should be driven from the settler's habitations in the districts of Parramatta, George's River, and Prospect Hill by firing at them, but not to extend to [MS. obliterated] any other district, nor to [obliterated] in the harbour, at Sydney, or on the road leading to Parramatta; and as two other white men and a woman were afterwards killed in a savage and wanton manner by the same band of natives, among whom Pemulwye was known to be the principal in all those and former barbarities; in consequence of which it was directed in General Orders of 22nd last November, that Pemulwye should be brought in alive or dead. In consequence of which two settlers shot Pemulwye and [obliterated], another principal, the 2nd instant [obliterated]. The natives requested that the head of the former should be carried to the Governor, with a promise of their doing no more mischief if they might be permitted among the inhabitants of the above three districts, and on receiving that message a public notice was immediately given, ordering no person whatever to use any violence towards the natives, but to receive them at Parramatta and its neighbourhood as heretofore. In consequence of which the natives now resort to the above districts with as much confidence as before." † See the despatch of 30th January, 1802, ante, p. 688.

‡ See Governor Hunter's letter to the Duke of Portland of 2nd January, 1800, ante, p. 1.

1802
30 June.
The convicts
healthy and
strong.

Every con-
vict landed
in good
health.

The judicial measures you adopted and persevered in, added to the liberal comforts supplied by Government, gave you the heart-felt satisfaction, when you arrived at that part of your voyage when you were to determine whether to go into the Brazils or not, of seeing the unhappy people under your care in a state of health and strength equal to undertake the remainder of their voyage, which humanity and a faithful adherence to your charter-party induced you to accomplish rather than go into Rio Janeiro, which enabled you to perform your voyage in four months, bringing every prisoner into this port in a state of high health, cleanliness, and fit for immediate labour; nor ought I to omit the pleasure I and the other visiting officers felt at the general thankfulness and gratitude every prisoner expressed for your care and kind attention to them during the voyage.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

2 July.
Mutiny on
the
Hercules.

2nd July, 1802.

A COURT of Vice-Admiralty will assemble on Monday next, the 5th instant, at half past nine in the morning, at Sydney, for the trial of the master of the Hercules, transport, for shooting, and causing to be shot, fourteen convicts, who, it is alledged, were attempting to take the ship Hercules under his command.*

The salt meat purchased from the American,† and that since received, admits of the full ration of salt meat being issued to-morrow.

The ration
of grain.

From the increased numbers in the colony, and a number more being expected, a retrenchment in the present ration of grain will be expedient, as soon as the quantity in hand can be ascertained, which may be by next week. On this occasion the former advice is repeated, for those who possess ground to cultivate a portion of it with potatoes and esculent plants, which will be of great benefit before the ensuing harvest is got in.

The stan-
dard loaf of
bread.

It having been determined by the magistrates, and accepted by the bakers, that 3 lb., of wheat fully compensated the latter for a loaf weighing two pounds when one day old, as stated in the Orders of the 8th, 14th, and 19th of May, 1801,‡ notwithstanding this arrangement the Governor is informed that the bakers are in the habit of demanding fourpence per pound for bread, which attaches a further gain of 4s. on a bushel of wheat, making in the whole 6s. 7½d. profit to the baker on a bushel of wheat at 8s. per bushel. To account for this excessive charge the bakers urge

* The proceedings in this case were transmitted to England by Governor King with his letter to Lord Hobart of 9th August, 1802, post, p. 809. The master, Captain Lemlyn Betts, was found guilty of manslaughter, and sentenced to pay a fine of £500. The Governor, however, did not approve of the verdict, and referred the evidence in the case to the Secretary of State, granting the captain, in the meantime, a conditional remission.

† The vessel referred to was the Arthur, 265 tons, from Providence, with a general cargo. ‡ Ante, pp. 364, 367, and 368.

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July 2, 1882

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the exorbitant price they pay for wheat, viz., from twelve shillings to a guinea per bushel. That reason can only hold good respecting what they purchase from individuals (whose avarice appears to be greater than their humanity), but cannot be admitted with respect to the weekly quantity of wheat issued from the stores.

1802
2 July.

To prevent those starving extortions it is hereby ordered that no person whatever do buy or sell wheat or maize for more than the store price, viz., 8s. per bushel for the former and 4s. for the latter, except in the season for sowing, when an additional price may be demanded for seed. And every baker is strictly forbid charging more than 3d. per pound for bread made of wheat, according to the Ordinance on that behalf, which allows of 2s. 3d. per bushel (exclusive of the bran) profit to the baker.

The price of
wheat and
maize.

It is to be fully understood that in this, as well as in all other Orders of a similar nature, the sterling value of gold, silver, and copper money, or good bills, is alone considered; but when articles are given and taken in exchange the General Order of the 1st of October, 1800,* is sufficiently binding. Nor can any person within this Government refuse taking copper, or any other coin described in the proclamation of Nov. 19, 1800.†

The means
of exchange.

The magistrates and Courts of Judicature are hereby directed to decide all causes and complaints coming within the meaning of this Ordinance, according to its purport, by which it is the Governor's intention to place bread within the reach of those who need it most.

PHILIP GIDLEY KING.

MR. D'ARCY WENTWORTH TO SURGEON JAMISON.

Sir, (King Papers.) 4th July, 1802.

4 July.

Being informed that Mr. Thomson has agreed with a gentleman to act as his deputy as surgeon at Norfolk Island, I beg you will inform His Excellency Governor King that I consider myself entitled to that situation from seniority of rank as soon as Mr. Thomson may leave the colony, and that I shall be ready to obey His Excellency's order in embarking for that settlement as soon as he may think proper to direct.‡

The medical
staff.

I am, &c.,

D. WENTWORTH.

GOVERNMENT AND GENERAL ORDER.

6th July, 1802.

6 July.

MR. JAMES THOMSON, Staff-surgeon of Norfolk, having obtained the Governor's permission to return to England by an early opportunity for the recovery of his health and on his private concerns,

The surgeon
at Norfolk
Island.

* Ante, p. 220.

† Ante, p. 256.

‡ It will be seen from the Government and General Order of 6th July, 1802, which follows in letter, that Mr. Wentworth's request was granted, but was cancelled subsequently at his own desire—post, p. 837.

1802 with one year's leave from his arrival in England till he re-embarks for this settlement, Mr. D'Arcy Wentworth, next in seniority, will do the duty of staff-surgeon of Norfolk Island until Mr. Thomson's return, or that the return of Mr. Wm. Balmain renders it necessary for Mr. Thomas Jamison to resume that situation.

As the number of gentlemen in the medical department in the colony will not admit of Mr. Thomson's leaving it without finding a person to do his duty, and having engaged Mr. Charles Throsby* for that purpose, that gentleman is allowed to do Mr. Thomson's duty until his return.

Mr. D. Wentworth will hold himself in readiness to embark for Norfolk Island in about three weeks.

It is to be understood that not less than three commissioned staff-surgeons are to be resident in this colony and one at Norfolk Island, which regulation will allow of two being absent on leave.

Mr. D. Wentworth will be recommended for the pay of Staff-Surgeon of Norfolk Island from the day he takes that charge until superceded by Mr. Jamison or Mr. Thomson.

PHILIP GIDLEY KING.

SURGEON WALKER TO THE COMMISSIONERS FOR TRANSPORT.

8 July. Gentlemen, Port Jackson, 8th July, 1802.
 I have the honour to inform you of the arrival of the ship Atlas, Captain Rich'd Brooks, in this port on the 7th July, 1801, and from the great mortality which has been on board I think it my duty to inform you of the cause. The first prisoners we embarked were from the three brigs that came from Dublin, one of which, named the Henrietta, were very sickly, and I was informed of the dysentery accompanied with a typhus fever. The other two brigs were also in a bad state of health. Most of the prisoners from the Henrietta were embarked on board this ship; we also embarked prisoners from the other two brigs.

The weather being then very cold, the washing of them and shaving their heads must, in my opinion, be very much against people in their sickly state. Some of them were embarked actually in the disease, and a great many convalescents. The rest of our prisoners embarked from Cork, many of whom were also convalescents. One old man, in particular, who was sent to be embarked was labouring under a very heavy sickness. Seeing that he could not survive long I thought it best to send him back, and he died before the boat reached Cork. One of the prisoners from the Henrietta died five days after he came on board; another also died before we left the harbour, which was on 28th November, 1801.

* Mr. Charles Throsby was the deputy-surgeon mentioned by D'Arcy Wentworth in his letter of 4th July, 1802, ante, p. 797. He had previously held the post of surgeon on the Coromandel, transport.

After sailing from the Cove of Cork we experienced very bad weather, and the convalescents began gradually to relapse into their former sickness. When we arrived at Rio de Janeiro, 30th January, 1802, I had upwards of seventy sick, and was then myself recovering from a very heavy sickness. The prisoners were put on shore on one of the small islands for the recovery of health, and the number of sick began now to diminish from the benefit of fresh provisions and other comforts.

1820

8 July.

We lost by sickness fifteen male prisoners and a soldier from the time of their embarking till our arrival, and during our stay two male prisoners and one female died. We sailed from Rio de Janeiro 26th February, 1802.

Deaths on
voyage to
Rio.

A short time after leaving that port a general sickness prevailed amongst the soldiers, which I attributed to poison, and I at the same time had a return of my sickness. A mutiny was at this time going on amongst the prisoners, which on being discovered caused them to be more closely confined, and which consequently was much against the sick. We arrived at the Cape of Good Hope 12th April, 1802, having lost by sickness six male prisoners, one soldier, and serjeant's wife on our passage between Rio de Janeiro and the Cape. The number of the sick was now considerably diminished.

The voyage
to the Cape.

We had here a supply of fresh provisions for the prisoners. I also obtained a supply of some medicines and fumigating apparatus. During our stay here we lost one male prisoner. We sailed from the Cape on the 19th April, some time after leaving which port the scurvy made its appearance, which soon became general, and amongst those who were formerly sick it made great havock. Having few or no antiscorbutics, I was forced to palliate with medicines. The weather was in general very bad from the time of our leaving the Cape till on arrival at Port Jackson, and we lost by the scurvy and dysentery forty-three male prisoners and one female, several of whom were after our arrival, at which time I kept about twenty of the worst of my patients on board, they being incapable of being removed, and had a supply of necessaries for them from the hospital. They soon began to recover from the benefit of the vegetable diet. By this, gentlemen, I have endeavoured to state, from as exact a point of view as I possibly could, the causes of the great mortality which has prevailed on board this ship,*

and from th
Cape to
Sydney.Scurvy and
dysentery.

And remain, &c.,

ELPHINSTONE WALKER.

* Governor King attributed the number of deaths and the sickness which prevailed on this vessel chiefly to the fact that the captain had been allowed to utilise so much space for the storage of his private articles of trade that there was not sufficient room for the convicts. See his letters to Captain Brooks of 3rd August, 1802, post, p. 806, and Surgeon Jamison's letter to Lord Hobart of 8th November, 1802, post, p. 883.

1802

COLONEL GROSE TO MAJOR-GENERAL BROWNRIGG.

21 July.

Dear Sir,

London, 21st July, 1802.

Soldiers of
the N.S.W.
Corps.

I have the honor to acquaint you that in reducing the New South Wales Corps to the establishment now ordered, there will be several men to receive discharges, who from their long residence have formed attachments in New Holland they would rather continue with than return to England.

Grose asks
for land
grants for
soldiers.

From these circumstances I am to request you will be pleased to communicate to His Royal Highness that the marines, after having served a number of years, were permitted to settle, and grants of land were given to them for that purpose.

If, therefore, His Royal Highness would be pleased to interfere on behalf of the soldiers of the New South Wales Corps, the like indulgence probably would be extended towards them; and at any rate he may possibly be pleased to consider that the soldier who prefers to receive his final discharge at Port Jackson, may be accommodated without any inconvenience to the service, and a considerable expense saved to Government, that will otherwise ensue in the conveyance of these people to England.*

I have, &c.,

FRANCIS GROSE.

GOVERNMENT AND GENERAL ORDERS.

22 July.

22nd July, 1802.

The ration
of grain to
be reduced.

As the reduced quantity of wheat and maize renders it necessary to go to two-thirds of the full ration of grain, the Commissary is directed to issue the following ration till further orders, viz:—

The full ration of meat to continue to all males; flour 4 lb. or wheat 5 lb., and maize 2 lb. and a half, and 3 lb. of maize in lieu of pease; women and children in proportion.

To the civil and military 6 ounces of sugar.

The commanders and masters of all ships needing supplies of grain are desired to put their respective ships' companies on a reduced ration similar to the above.

A general
muster.

A general muster of all the male prisoners off or on the stores, also free men of all descriptions (except those who hold ground by grant, lease, or renting,) on or off the stores, will be taken at Hawkesbury, Parramatta, and Sydney, on Thursday, the 5th of August, at 8 o'clock in the morning.

Those at Sydney and in its districts are to assemble at the yard of the Orphan House; those at Parramatta, George's River, and its districts, at the Court-house at Parramatta; and those at Hawkesbury and in its neighbourhood, at the magistrate's in command there.

* This letter was forwarded to Under-Secretary Sullivan on 22nd July, 1802, with the Commander-in-Chief's orders to present it, with his recommendation, to Lord Hobart.

The women prisoners, and those who are free, of all descriptions, with their children, whether on or off the stores, are to be present at the above places, on Thursday, the 12th of August.

1802

22 July.

Females and
free people.

The settlers of all descriptions will be mustered as soon after as possible, notice of which will be given.

All persons not appearing at those musters will be taken up as vagrants, and punished to the utmost extent of the law, if free; and if prisoners they will be sentenced twelve months' confinement in the gaol-gang. Attempts to impose false accounts of any person, absent or present, will be punished with the utmost severity.

— PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

My Lord,

23rd July, 1802.

23 July.

Enclosed I have the honor to forward a duplicate of my last letter to His Grace the Duke of Portland, and as I shall shortly have the honor of addressing you by a returning South Sea whaler, I shall forbear troubling your Lordship at this time with any details of the colony, except informing you that the *Coromandel* arrived here on the 13th ult'o, with the convicts in so good a state of health that they were all fit for immediate labor, which reflects the highest credit on the master and surgeon of that ship. I am sorry I cannot say as much of the *Hercules* and *Atlas*. The former arrived on the 26th June, and the latter on the 7th inst. Both these ships have lost 127 convicts out of 320 put on board, and the survivors are in a dreadfully emaciated and dying state. Your Lordship has already been informed of the attempt made by the convicts on board the *Hercules* to get possession of that ship previous to her arrival at Rio de Janeiro, and that a number were killed.* As the master of that ship has been tried by a Vice-Admiralty Court, the examinations now pending on the masters of those ships to determine how far they have infringed the tenor of their charter-parties, will prevent my communicating those particulars until the return of the South Sea man, which is more than probable your Lordship will receive before this may come to hand. The arrival of the above ships has released my mind from the apprehension of the wreck seen on King's Island, in Basses Straits being one of the ships coming here with supplies.

Arrival of
the *Coro-*
mandel.Mortality on
the *Hercules*
and *Atlas*.Trial of the
master of the
Hercules.

I have, &c.,

PHILIP GIDLEY KING.

P.S.—The master of the *Coromandel* informs me that the *Perseus* has put into Rio Janeiro.

* See the proceedings in this case, post, p. 810; and the note to Government and General Order of 2nd July, 1802, ante, p. 796.

1802

COLONEL GROSE TO MAJOR-GENERAL BROWNRIGG.

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My Lord,

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* See the proceedings in this case, post, p. 810 ; and the note to Government and General Order of 2nd July, 1802, ante, p. 796.

1802

GOVERNMENT AND GENERAL ORDER.

23 July.

23rd July, 1802.

The parish
of Saint
Phillip

HIS EXCELLENCY is pleased to direct that in all spiritual, judicial, and parochial proceedings, transactions, deeds, instruments, and registers, that the districts of Sydney, Petersham, Bulanaming, Concord, and Liberty Plains, be comprised with a parish to be henceforward named "Saint Phillip," in honor of the first Governor of this territory; and that the districts of Parramatta, Banks' Town, Prospect Hill, Toongabbie, Seven Hills, Castle Hill, Eastern Farms, Field of Mars, Northern Boundaries, Ponds, and Kissing Point, be comprised with a parish to be henceforward named "St. John's," in honor of the late Governor, Captain John Hunter; and the churches now building at Sydney and Parramatta be respectively named Saint Phillip and Saint John.

and St.
John's.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

24 July.

24th July, 1802.

Robbery
on Le
Geographe.

J—— M——, J—— C——, S—— W——, and W—— K—— have been punished with 100 lashes each for robbing the French ship *Geographe* of a quantity of canvas; for which crime the gunner and a soldier belonging to that ship have been condemned to the chain by the sentence of a Court-Martial held on board the *Geographe*.

Punishment
of the
principal.

W—— K——, principal in the above robbery, exclusive of the above punishment, has forfeited his hut and boat to the public use, in which and by which this robbery has been carried on.

A breach of
public
orders.

J—— H—— has also received 100 lashes, and is ordered to work in the gaol gang for purchasing gunpowder and ball, contrary to the Orders on that behalf, and selling the same to the inhabitants. As the strictest enquiry is making for a quantity of gunpowder stolen from the *Geographe*, persons who have purchased any since the arrival of that ship are to inform the nearest magistrate thereof, on pain of being dealt with as receivers of stolen goods with the aggravation of landing powder being totally prohibited.

Masters and officers, &c., of ships will recollect that landing an ounce of gunpowder or any arms without the Governor's written permit subjects them to the immediate forfeiture of their bond and charter party.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

31 July.

Sydney, 31st July, 1802.

Live stock
lent to
settlers for
breeding
purposes.

THOSE settlers to whom the Governor has, and may hereafter judge proper to allow, ewes, or any other breeding stock,* will fully understand that they only hold that stock in trust from

* Ante, pp. 623, 662, 727.

the Crown for the future support of their families ; therefore, the original stock and its increase are not to be made away with or sold but by permission from the Governor. And should the person to whom such breeding stock is allowed die, or be obliged to relinquish his farm on any account, such stock and its increase is to revert to the Crown on the market price being paid for it. On conviction before three magistrates (one of whom to be the Governor, Lieutenant-Governor, or Judge-Advocate) both the seller and buyer will forfeit the original stock and twice the value of each head of stock sold, being the increase of those first allowed the settler for breeding.

1802

31 July.

Penalty for disposing of stock.

If the buyer is anyways subject to military discipline he or they will be tried for a disobedience of the above orders.

PHILIP GIDLEY KING.

STOCK PREMIUMS to Settlers, excepting those who have appointments, receive salaries, or other recompences from the Crown, who were settled prior to the 1st of September, 1800 :—

Premiums to settlers

To those who raise the greatest quantity of maize this year, not being less than 600 bushels, 3 ewes ; next best, not less than 500 bushels, 2 ewes ; next best, not less than 300 bushels, 1 ewe ; to be adjudged.

To settlers of all descriptions who breed the greatest quantity of swine, and returns not less than 4,000 lb., at 6d. per lb., into the stores, between the 1st March and 1st of August, 1803, 1 heifer and 1 ewe ; next best, not less than 3,000 lb., 3 ewes ; next best, not less than 2,000 lb., 1 ewe and 1 lamb ; to be adjudged.

To the settler's family who grows, manufactures, and spins most flax within their own family in two years, from the 1st next December, and raise it from seed that will be given at that time to six candidates who may offer :—First, not under — lb. of yarn, 1 cow and 1 steer ; next, not under — lb. of yarn, 1 cow ; next, not under — lb. of yarn, 3 ewes ; next, not under — lb. of yarn, 2 ewes ; to be inspected yearly and reported by the constable of the district and adjudged.

for manufacture.

To the settlers who arrived by the Buffalo and Barwell, who reside and raise on their farms the greatest quantity of wheat during the year 1803 (and are clear of debt), not being less than 400 bushels, 1 heifer and 2 ewes ; next, not being less than 300 bushels, 1 heifer ; next, not being less than 200 bushels, 2 ewes ; to be adjudged.

New arrivals.

To the above, for the greatest quantity of maize on their own farms (being out of debt), not less than 600 bushels, 1 heifer and 1 ewe ; next, not less than 400 bushels, 1 heifer ; next, not less than 300 bushels, 2 ewes ; to be adjudged.

Maize.

To the above settlers, who shall have the most comfortable dwellings, convenient offices, and their ground in the best order, provided it is approved by the judges ; 2 oxen, 2 years' old.

Dwellings.

To the settlers who arrived by the Minorca, Nile, Canada, Coromandel, and Persæus :—Those who are out of debt and raise the most wheat on their own farms, and reside thereon, during the year 1803, not being less than 300 bushels, 1 heifer and 1 ewe ; next, not being less than 250 bushels, 1 heifer ; to be adjudged.

Permanent settlers.

Those who raise most maize, not being less than 500 bushels, 1 heifer ; next, not being less than 400 bushels, 1 oxen, 2 years' old.

1802

GOVERNMENT AND GENERAL ORDER.

1 Aug.

Parramatta, 1st August, 1802.

Assigned
servants.

OFFICERS having stock-keepers and one servant in charge of their houses or farms are to send their names to the Secretary's Office, Sydney, Rev'd Mr. Marsden, Parramatta, or Mr. Arndell, at Hawkesbury, according to the places where they are victualled. Those returns to be made as above, on Wednesday morning at 9 o'clock.

Distribution
of spirits.

The Governor has allowed the supercargo of the *Fanny*, American brigg, to dispose of 2,700 gallons of spirits in the following proportions, viz. :—

Three hhds. of N.E. rum to licensed people
Two do. of W.I. do. to do.
Three do. of N.E. do. to Civil Departments
Two do. of W.I. do. to do.
One pipe brandy to Civil Departments
do. to Military Departments,

and the remainder to be bonded for the purpose of being disposed of by permits to those whom the Governor may think proper. Not more than 7s. for the New England, and 15s. for the West India rum, brandy, and geneva (including the duty) is to be paid.

PHILIP GIDLEY KING.

UNDER-SECRETARY KING TO SECRETARY NEPEAN.

2 Aug.

Sir,

Whitehall, 2nd August, 1802.

The Glatton.

Understanding that the ship *Glatton* is in readiness to receive convicts, I am directed by Lord Pelham to desire that you will move the Lords Commissioners of the Admiralty to be pleased to give directions to the captain to receive on board that ship, at her moorings, in the River Medway, 130 female and 100 male convicts, and as soon as the above number are completed, that directions may be given for the ship to proceed to Portsmouth, to receive from the hulks there, the remaining 170 male convicts. As it will be inconvenient for the *Glatton* to come so far up the river as hath been usual to receive convicts from the hulks, I have Lord Pelham's commands to request that you will move their Lordships to be pleased to direct one of the sailing lighters from Chatham, with a sufficient guard of marines belonging to the *Glatton*, to be sent to Woolwich on Monday next, the 9th instant, to receive the 100 male convicts from the hulks at that place.

Embarka-
tion of
convicts.

Should it be requisite to provide, at any port at which the *Glatton* may stop, any necessaries for the convicts, I am to desire that you will move their Lordships to direct the captain to purchase them, and to draw upon the Lords Commissioners of His Majesty's Treasury for the amount, transmitting the vouchers for the same.

I am, &c.,

J. KING.

MR. W. CHINNERY TO UNDER-SECRETARY SULLIVAN.

1802

Sir,

Treasury Chambers, 2nd August, 1802.

2 Aug.

I have to request, as agent for the Civil Establishment at New South Wales, that you will have the goodness to acquaint Lord Hobart, at a convenient opportunity, that the Commissioners for Auditing the Public Accounts have called upon me for the formal authority for paying the moiety of the salaries of the undermentioned officers of that colony during their absence from thence on leave until they returned to their duty or resigned their situations :—

	£	s.	d.	£	s.	d.	
To Francis Grose, Esq., Lieu't-Governor, moiety of salary for one year, to 10th October, 1797	.....			125	0	0	Military officers.
To Capt. David Collins, Judge-Advocate, moiety of salary, from 27th September, 1796, to 8th September, 1797	.....	86	15	0			
To ditto as Sec'y to the Governor...	.....	43	7	6			
To ditto for stationery	.....	9	9	6			
				159	13	0	
To James Mileham, Ass't Surgeon, moiety of salary from 14th May, 1796, to 1st of June, 1797	.....			48	0	0	Civil officers.
To John Palmer, moiety of salary as Commissary, from 10th Oct., 1796, to 10th Oct., 1797	.....			91	5	0	
To Thomas Arndell, late surgeon, quarter of a year's gratuity to the 16th of October, 1797, in consideration of past services.							

I shall esteem it a particular favour if you will take the earliest convenient moment for procuring Lord Hobart's directions on these points, as the want of such formal authority will, of necessity, keep my accounts open until it shall be forwarded to the Commissioners.

I have, &c.,

W. CHINNERY.

LORD HOBART TO THE ADMIRALTY COMMISSIONERS.

My Lords,

Downing-street, 3rd August, 1802.

3 Aug.

I am to desire that your Lordships will be pleased to give the necessary orders to the commander of His Majesty's ship Glatton, to receive on board and to convey to New South Wales, the Reverend Mr. Twistleton, Mr. John Savage and his wife, and their baggage. Mr. Twistleton is going out as one of the clergymen, and Mr. Savage as an assistant surgeon upon the establishment of the settlement.*

I am further to desire that the several persons named in the enclosed list, who are going out as settlers, may also, with their baggage, be received on board the Glatton and conveyed thither.

I have, &c.,

HOBART.

* Mr. Savage was appointed Assistant Surgeon by Letters Patent on 1st July, 1802.

1803

[Enclosure.]

3 Aug. LIST of Persons going to New South Wales in His Majesty's ship
Glatton.

Settlers.

William Cuddie.	John Stroud.
Bartholomew Morley.	Isaac Knight.
William Cannop and wife.	Serjeant Peat and son.
Jeffrey Bolton and wife.	Mrs. Jones.
— Wall.	Bridget Heath.
— Frederick, wife and three children.	Frances Jennings.
Aaron Birt.	Mr. Bedell.

Total persons, including women and children, 21.

GOVERNOR KING TO CAPTAIN RICHARD BROOKS.*

Sir, Hawkesbury, 3rd August, 1802.

Spirits per
the Atlas.

I have received yours of yesterday, enclosing copies of two papers certifying the spirits on board the Atlas were duly shipped in London and at Portsmouth. Your omitting the shipment of other spirits at the places you touched at on your passage will be supplied by your entries being transmitted to the Transport Board.

Excessive
importation
of spirits.

You state having received a letter from Captain Rains, by order of the Secretary of State, dated 14th July, 1801. If that letter and the other information you must have received did not absolutely forbid your bringing spirits here, ought it not to have prevented you taking so great a quantity, exclusive of the quantity of private trade put into a vessel carrying a number of prisoners from one corner of the globe to the other, and that, as far as relates to the spirits, on the more than probable chance of your not being allowed to land any part of it, much less the whole?

The convicts
crowded
out.

Had you employed the time between the date of Captain Rains's letter and your shipment of spirits in procuring the Transport Board's permission for taking the quantity of spirits and bulky private trade that you have brought here, I am convinced that the humanity and wisdom of that Hon'ble Board would have had the discernment to have withdrawn half the number of prisoners contracted to be sent in the Atlas, as it would have occurred to them that the health and existence (which events have justified) of so many people kept in confinement must be greatly endangered by their accomodations being encroached on so much as it appears they have been on board the Atlas.

The
captain's
admission.

You express your sorrow "that the personal errors imputed to you should prejudice the interest of your owners, who, you say (and I know), are merchants of the highest respectability, and for whom you act merely as an agent." I have too high an opinion of their respectability to suppose they directed you to receive the quantity of spirits and bulky private trade which made it necessary to store the 'tween decks with lead (which prevented its being

Lumbering
the ship.

* Captain Brooks was master of the transport Atlas.

cleaned), and the hospital and prison with the ship's sails, rope, &c., in direct violation of the charter party; and if I were inclined to credit that your owners directed all this, yet I am sure their humanity would have recoiled with horror at the dreadful mortality that prevailed on your voyage, and the inhuman situation of a great part of the dying remains of your cargo when the Atlas arrived here, and which I have no hesitation in declaring my belief that much of these miseries were owing to your deviation from the charter party, which so amply provided for the health and comfort of the unfortunate creatures committed to your charge. However, until I am informed to the contrary, I shall disbelieve that either the Transport Board or your owners sanctioned such a quantity of spirits and private trade being put on board, to the manifest injury of the prisoners and the public welfare.

1802

3 Aug.

Inhuman
treatment
convicts.

You say "that you look up to my protection in a concern of so much magnitude, and request my permission to dispose of your spirits and porter," in reply to which I must remark that had you consulted your owners or your own interest, you would not have brought any, particularly after the receipt of Captain Rains's letter; but as you have judged proper to bring such a quantity of spirits, I do not feel myself justified, under every circumstance, to grant any permit whatever, except for the porter, nor shall a drop of the spirits you have brought be landed in this colony, to prevent the inhabitants being beggared thereby; and I am the more particular in this refusal, as permits have just been given for landing what I deem a sufficient quantity for the present use of the inhabitants.*

King will
not allow
spirits to be
landed.

I am, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

6th August, 1802.

6 Aug.

THE settlers and others cultivating or occupying grounds, either by grant, lease, renting, or permission, will be mustered by the Governor at the following times and places, viz. :—

Muster of
settlers and
landholder

Those in Sydney and its districts, at Government House, Sydney, on Tuesday morning, the 10th inst., at 8 o'clock.

Those at Parramatta and its districts, at Government House there, on Friday morning, the 13th, at 8 o'clock.

Those at Hawkesbury, at Government House there, on Monday, the 16th, at 8 o'clock.

* See the Government and General Order of 1st August, 1802, ante, p. 804. King allowed Commodore Baudin, of *Le Géographe*, to purchase 800 gallons (see Appendix). The statements contained in this letter relative to the ship being crowded with merchandise on the captain's account, is corroborated by Surgeon Jamieson's letter to Lord Hobart, of 8th November, 1802, post, p. 888. He alleged that the ship was so deeply laden that it became necessary to keep the air scuttles in general closed, and the deadlights frequently shut in.

1803
6 Aug.
Officers
farms.

Officers, civil and military, holding ground as above are directed to give an account of their farms, stock, &c., according to the form left with the Governor's Secretary, the Rev'd Mr. Marsden, and Thomas Arndell, Esqr., those forms to be filled up previous to the day of muster at the respective settlements where the farms may be placed.

PHILIP GIDLEY KING.

GOVERNOR KING TO THE TRANSPORT COMMISSIONERS.
(King Papers.)

9 Aug.
The
Coromandel,
Hercules,
Atlas, and
Perseus.

Gentlemen, Sydney, 9th August, 1802.

I had the honor of receiving your letters and their several enclosures dated as per margin,* by the Coromandel which arrived here 13th June, Hercules 26th June, Atlas 6th July, and Perseus 4th instant.

The above transports were cleared of all the prisoners, passengers, provisions, and stores, before the time limited for that purpose was expired; and the Commissary has furnished the respective masters with receipts for all that was landed here.

Health of
convicts on
arrival at
Sydney.

The healthy state in which the Coromandel and Perseus arrived requires my particularly pointing out the masters of those ships to your notice. It appears by the log books, surgeon's diaries, and the unanimous voice of every person on board those ships that the utmost kindness had been shown by the masters and surgeons to the convicts. This, with the proper application of the comforts Government had so liberally provided for them, and the good state of health all the people were in, induced the master of the Coromandel to proceed without stopping at any port. He arrived here in four months and one day, bringing every person in a state of high health, and fit for immediate labour; and altho' it appears that the Perseus necessarily stopped at Rio and the Cape, yet the convicts were in as good condition as those on board the Coromandel; nor can I omit the great pleasure felt by myself and the other visiting officers at the grateful thanks expressed by the prisoners and passengers for the kind attention and care they had received from the masters and surgeons, who returned an unusual quantity of the articles laid in by Government for the convicts during the voyage.

Voyage
of the Coromandel.

Kind treat-
ment of the
convicts.

Mortality on
the Hercules
and Atlas.

I am sorry that the conduct of the masters of the Hercules and Atlas appears to be the reverse of what I have just stated. By the surgeon's list, and the masters of the Hercules and Atlas's letters to me, of which I send you a copy, you will observe the dreadful mortality that raged on board those ships, exclusive of the numbers killed.† Altho' there was no mutiny on board the

* 26th August, 1801; 31st December, 1801 (2); 4th February, 1802.

† According to Governor King, these two vessels lost 127 out of 320 convicts—ante, p. 801. The Atlas sailed from Cork with 151 male and 28 female convicts. During the voyage she lost from dysentery and scurvy 63 males and 2 females, besides two private soldiers and the serjeant's wife; and in the case of both vessels the convicts were landed in the last stages of disease, and utterly unfitted for manual labour—ante, p. 798.

Atlas, yet in every other respect the master of that vessels conduct appears as much if not more reprehensible than the other. The miserable state the survivors were in in both those ships on their arrival in this port, being filthy beyond description, some of the convicts lying dead with heavy irons on, many of them died as they were coming from the ship to the hospital. These circumstances, together with the complaints made against the masters by the officers,* rendered it necessary to investigate the necessity of their having to put in Rio de Janeiro and the Cape, and how far the masters had infringed the charter-parties. The result of these investigations are enclosed. The log books and diaries will be forwarded by the first direct conveyance mentioned in my letter of the 23rd ultimo.

1802

9 Aug.

Deplorable condition of the convicts.

An investigation held.

The master of the Hercules was necessarily tried by a Court of Vice-Admiralty on two indictments, first for killing ten men in the mutiny, and afterwards for shooting one man (a ringleader), it was alledged, some time after the mutiny had subsided. On the first count he was acquitted, and on the second he was found guilty of manslaughter, and sentenced by the Court to pay a fine of £500 to the Orphan School, and to be imprisoned until it was paid. As a doubt arose in my mind respecting the propriety of his being fined, I have given a conditional remission of that part of the sentence which I have referred to the judge of the Admiralty Court, for His Majesty's pleasure being signified thereon; and that the course of justice may not be perverted (if I am wrong respecting a fine), the master is bound over to abide by that determination, and to surrender himself within five days after his arrival in the port of London.

The charge against the captain of the Hercules.

The verdict and sentence.

Conditionally remitted.

The master of the Atlas having such a quantity of private trade and spirits on board,† appears to have produced most of the bad consequences complained of in that ship. What that private trade consisted of, and the bulk occupied on board, will be obvious from the enclosed report of that ship's entry.

A trading captain.

I have judged it necessary to forward this by the Hercules, in case she should arrive in England before my letters w^h I mean to send by the conveyance pointed out in my letter of the 23rd ultimo.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

My Lord, Sydney, New South Wales, 9th August, 1802.

As the Hercules sails to-morrow I have judged it advisable to send by that ship this letter and its enclosures, without waiting for the whaler stated in the enclosed duplicate, which may be in England before this can arrive.

The Hercules returning.

* By officers, Governor King referred to the military officers in charge of the guard.

† In addition to a very miscellaneous cargo, the Atlas had on board a quantity of ale and porter, 1,450 gallons of gin, and 716 gallons of brandy.

1802

9 Aug.

Trial of
Captain
Betts.His sentence
remitted.Report to
the Trans-
port Board.The colony
quiet,
peaceable,
and healthy.Salt meat in
store.

Flinders.

The charge
against
Capt. Betts.

I have the honor to enclose the proceedings of a Court of Vice-Admiralty, held on the master of the *Hercules*, for shooting a number of convicts on the passage, who were in the act of mutiny, and also for shooting one after it was alleged the mutiny had ended. Your Lordship will observe that on the first count the master was acquitted, and on the second he was found guilty of manslaughter. The Court sentenced him to pay a fine of £500 to the Orphan School, and to be imprisoned 'till it was paid. As it appeared by the practice of the Admiralty Court, "that in cases which would be manslaughter at land the jury is always directed to acquit," &c., I therefore judged it advisable to give the Master, Mr. Luckyn Betts, a conditional remission of that sentence until His Majesty's pleasure may be signified thereon, for which purpose I have enclosed his trial, together with the trial of five seamen belonging to the *Hercules* for being implicated as principals in the mutiny on board that ship, who were acquitted. Should the sentence of the Admiralty Court be confirmed respecting the fine, I respectfully hope it may be transmitted to this colony for the benefit of the institution it was adjudged to.

Considering the Transport Board the proper office to represent the conduct of the masters of the *Hercules* and *Atlas*, through your Lordship, I have the honor to lay before you my letter to that Board, and its several enclosures, which I trust will be found sufficient to mulct those ships considerably.

Your Lordship will observe by the above letter that the *Perseus* arrived here with her convicts in a state of high health and fit for immediate labor.

I am happy to inform your Lordship that we are all quiet, peaceable, and healthy.

As this letter is only written in case any accident may happen to the ship that will carry my despatches in answer to your Lordship's letter of January 30th last,* I shall only enclose the Commissary's return of the quantity of salt meat we now have in the stores, and the time it will last. Respecting grain, we shall have quite a sufficiency to continue at two thirds of the full ration untill the next harvest.

The *Geographe* and *Naturaliste*, French ships on discovery, are here refitting. Captain Flinders, in His Majesty's ship *Investigator*, with the *Lady Nelson*, sailed from hence the 22nd ultimo to prosecute the service he is ordered on. I have, &c.,

PHILIP GIDLEY KING.

THE TRIAL OF CAPTAIN BETTS.

THE INDICTMENT.

Cumberland,) LUCKYN BETTS, master of the transport ship *Her-*
to wit.) cules, stands charged for that he, the said Luckyn
Betts, on the twenty-ninth day of December, in
the year of our Lord 1801, on the high seas, in lat. 16° 46' N.,

* Ante, p. 633.

The women prisoners, and those who are free, of all descriptions, with their children, whether on or off the stores, are to be present at the above places, on Thursday, the 12th of August. 1802
22 July.

The settlers of all descriptions will be mustered as soon after as possible, notice of which will be given. Females and
free people.

All persons not appearing at those musters will be taken up as vagrants, and punished to the utmost extent of the law, if free; and if prisoners they will be sentenced twelve months' confinement in the gaol-gang. Attempts to impose false accounts of any person, absent or present, will be punished with the utmost severity.

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

My Lord,

23rd July, 1802.

23 July.

Enclosed I have the honor to forward a duplicate of my last letter to His Grace the Duke of Portland, and as I shall shortly have the honor of addressing you by a returning South Sea whaler, I shall forbear troubling your Lordship at this time with any details of the colony, except informing you that the Coromandel arrived here on the 13th ult'o, with the convicts in so good a state of health that they were all fit for immediate labor, which reflects the highest credit on the master and surgeon of that ship. I am sorry I cannot say as much of the Hercules and Atlas. The former arrived on the 26th June, and the latter on the 7th inst. Both these ships have lost 127 convicts out of 320 put on board, and the survivors are in a dreadfully emaciated and dying state. Your Lordship has already been informed of the attempt made by the convicts on board the Hercules to get possession of that ship previous to her arrival at Rio de Janeiro, and that a number were killed.* As the master of that ship has been tried by a Vice-Admiralty Court, the examinations now pending on the masters of those ships to determine how far they have infringed the tenor of their charter-parties, will prevent my communicating those particulars until the return of the South Sea man, which is more than probable your Lordship will receive before this may come to hand. The arrival of the above ships has released my mind from the apprehension of the wreck seen on King's Island, in Basses Straits being one of the ships coming here with supplies.

Arrival of
the Coromandel.

Mortality on
the Hercules
and Atlas.

Trial of the
master of the
Hercules.

I have, &c.,

PHILIP GIDLEY KING.

P.S.—The master of the Coromandel informs me that the Perseus has put into Rio Janeiro.

* See the proceedings in this case, post, p. 810; and the note to Government and General Order of 2nd July, 1802, ante, p. 796.

1802

9 Aug.

A convict
shot by the
captain.

Duration of
the mutiny.

Firearms.

The mutiny
suppressed.

Shooting a
convict in
cold blood.

ship, Capt'n Wilson, and soldiers, by which means a number were killed, which he imagines might amount to the number of twelve; that during the attack they had been killed by a number of officers and others; that the firing and resistance might last nearly an hour; the quarter-deck was then cleared, and the dead bodies, with the wounded men (number he cannot speak to), were brought aft; about an hour, or something more, some convicts who were out of irons were brought forward to the quarter-deck, but cannot say by whom they were bro't forward, or by whose orders; that two convicts were all that were brought, one of whom was J—— P——; that he heard a pistol fired, and that an hour intervened from the time he, J—— P——, was brought on quarter-deck till it was fired; that he saw Capt. Betts with a pistol in his hand after it was fired, not before, but cannot say whether any other person besides him had a pistol or any other firearms; that during the time J—— P—— was on the quarter-deck and before he was shot, a conversation had passed chiefly between him and Mr. Betts; the chief part of such conversation was Mr. Betts endeavouring to extort a confession from J—— P—— of his and the others guilt; the deponent says that he thinks J—— P—— a very hardened man, and that he pleaded his innocence of the plot; that he heard some persons say Capt'n Betts had shot the man.

Q. 1, by the Court.—Being asked by the Court if he can speak precisely as to the time the convicts might have possession of the quarter-deck, says, "that from first to last of the mutiny he thinks it might be near an hour, and that they had possession of the quarter-deck ten or fifteen minutes at the least."

Q. 2.—Did you see convicts with arms in their hands using them against the officers, &c.?

A.—He did; that one man snapt a blunderbuss at the prisoner and dep't, which was at the commencement of the mutiny. He thinks there were at least fifty concerned in the mutiny, but cannot take on him to say how many of them had offensive weapons in their hands.

Q. 3.—What orders did Capt'n Betts give?

A.—No particular ones.

Q. 4.—Was the ship restored to that tranquility and obedience, that it was in the power of the prisoner to have put J—— P—— in irons at the time he was shot?

A.—It was.

Q. 5.—What interval of time elapsed between J—— P—— being brought up and the ship restored to tranquility and his being shot?

A.—I should think an hour.

Q. by Prisoner.—Have you not often said that the shooting of J—— P—— was a measure you approved of, and that if he had not been shot you would have shot him; and did you not repeatedly call out, "Shoot the rascall"?

A.—I said J—— P—— deserved his fate ; but did not say that 1802
 had he not been shot by some other person I would shoot him ; 9 Aug.
 neither did I ever make use of the expression, "Shoot the rascal!"

Q. 2.—What arms had you when on the quarter-deck ?

A.—During the mutiny I had one of the men's musketts ; but after the business was over no weapons whatever.

Thomas Trotter, serjeant, N. S. Wales Corps, being sworn :—

Deposeth that he was under the command of Capt. Wilson, on The serjeant's evidence.
 board the Hercules, on the 29th of last December ; that he was in
 the guard-room between decks ; hearing a noise on main deck, he
 immediately came up ; one of the prisoners coming forward with
 a bayonet pointed towards him, dep't tumbled him down the
 hatchway, and immed'y after heard two shots fired from the cabin,
 in consequence of which he got together some arms and went on
 the main deck with intent to drive the prisoners below ; that a
 number of prisoners were killed—eleven in number ; that he thinks Eleven con-
victs shot.
 the prisoners had not possession of the q'r-deck more than a few
 (three) minutes ; that about a quarter of an hour after (if so much),
 J—— P——, T——, and five or six others were ordered on the
 q'r-deck ; that dep't bro't them there by order of the chief mate,
 Mr. Aiken ; one of the prisoners, T—— (now alive), said he might
 blame J—— P—— for the whole ; Capt. Betts desired dep't to go
 and hear what T—— had to say ; he did go, and T—— told him A ring-
leader.
 that J—— P—— was at the head of the whole ; Capt. Betts then
 desired J—— P—— to pray, for that he was a dead man ; J——
 P—— fell on his knees and declared he was innocent ; Capt.
 Betts clapped a pistol to his head several times, and said he would
 shoot him, but he did not see him do it ; dep't was a second time
 ordered to bring more prisoners on the q'r-deck, which he obeyed ; Examining
the
mutineers.
 that he thinks most of the persons on the quarter-deck had arms ;
 that at the time the prisoners were bro't on the q'r-deck he thinks
 the ship was secured and every thing safe ; thinks J—— P——
 was not in irons ; that the prisoners were down below in the
 prison ; that he thinks there was an interval of an hour between
 J—— P—— being brought on deck, and hearing the pistol fired
 that he supposed had killed J—— P——, but who shot him can-
 not say.

Q. by the Court.—Was it in the power of the prisoner, from the A ringleader
shot.
 tranquility of the ship and obedience to the officers, to have con-
 fined J—— P—— instead of his having been shot ?

A.—I think it was, by the soldiers and ship officers being in
 possession of the quarter-deck, and part of the sailors under due
 obedience.

Q. 2.—Do you think that the eleven men, which you have
 stated in your deposition of yesterday as having been killed, were
 all in a state of mutiny at the time they were shot ?

- 1862
9 Aug.
The
informant.
Rumours of
conspiracy.
- Attitude of
the captain.
- Shooting the
mutineers.
- Order
restored.
- The two
captains.
- Cross-
examined by
the prisoner.
- A.—Cannot say, but think they were not ; because one of the men who had given the information was amongst the number shot.
- Q. 3.—What information do you allude to ?
- A.—A prisoner of the name of W—— K—— came to me, I think on the 30th Nov'r, and told me there was a conspiracy to take the ship, and kill all the soldiers, seamen, women, and children, and begged that dep't w'd inform Capt. Betts ; he did so, and the man was bro't on the q'r-deck before him ; he (W—— K——) informed Capt. Betts of the same in his, the deponent's hearing ; Capt. Betts answered, " Let them come ; I am always prepared for such rascals," and that day, or the day after, took two of the men (as I considered as ringleaders) out of irons, and said it was for the purpose that they might be ready for the attack.
- Q. 4.—Did you inform your commanding officer of this information ?
- A.—I did some time after.
- Q. 5.—Of the eleven men, as stated in your deposition to have been shot, how many of them were killed on the q'r-deck ?
- A.—I saw none shot there, but believe only one besides J—— P——.
- Q. 6.—Where were the other men shot ?
- A.—Some on the main deck, others between decks, and others in the hold.
- Q. 7.—Were any of them shot after you had considered the ship, &c., in safety ?
- A.—I think there were, for I considered the ship in safety after the q'r-deck had been cleared of them, and several were shot after that.
- Q. 8.—Did you hear Capt. Betts give any orders to leave firing on the convicts ?
- A.—I did not ; but the chief mate, as well as dep't, endeavoured to stop the firing.
- Q. 9.—Can you take on yourself to say who shot or killed any of the men ?
- A.—I cannot.
- Q. 10.—Under whose command did you conceive yourself ?
- A.—Under Capt. Wilson and Capt. Betts.
- Q. 11.—Who ordered the centrys to be planted, and w'd you have obeyed the orders of Capt. Betts in the planting of centrys independent of your commanding officer, Capt. Wilson ?
- A.—I should ; because Capt. Wilson had desired me to assist in everything for the preservation of the ship.
- Question by Prisoner.—For what purpose were the prisoners brought aft ;—was it not to put them in irons, and examine them respecting ye mutiny ?
- A.—Cannot say, but suppose it was.
- Q. 2.—What arms had the troops in general ?

A.—There were two sentries with brass blunderbusses and one on the q'r-deck, I think, had a cutlass and pistole. 1802

Q. 3.—Who were the sentries at the time the mutineers came aft, and what became of the arms? 9 Aug.
The sentries.

A.—Charles Carty, James Brunton, and I think, John Cullingham; with respect to the arms, cannot say; I saw one of the blunderbusses afterwards, but the other I never saw.

Q. 4.—Who gave the alarm?

A.—The first alarm I heard was the rushing of the men thro' the barricade and the rattling of irons. The alarm.

Q. 5.—What arms had Capt. Wilson at the time you were bringing the men aft?

A.—Cannot recollect.

Q. 6.—Are you sure he had none?

A.—Cannot say; but I saw Capt. Wilson with a musket in his hand on the main deck. The captain of the guard.

Q. 7.—Have you not heard Capt. Wilson express his satisfaction at J—— P—— being shot?

A.—I really do not remember; but I never heard him disapprove of it.

[Corporals Lawrence and Keogh, and Privates Cullingham and Carty, all of the New South Wales Corps, who formed part of the guard on the *Atlas*, also gave evidence; but as it was in each case practically corroborative of Serjeant Trotter's evidence, it is omitted in the interests of space.]

THE PRISONER'S DEFENCE.

8th July, 1802.—The Court met pursuant to adjournment.

The prisoner, Mr. Luckyn Betts, entered on his defence, and produced No. 2,* which being read, prisoner called Mr. Aikin, chief mate of the *Hercules*, who being sworn:— Evidence of the chief mate.

Q. by Prisoner.—Were you on the quarter-deck on the 29th Dec'r during the mutiny?

A.—I was.

Q. 2.—Do you recollect J—— P——, T——, and other convicts on the quarter-deck on that day?

A.—I do.

Q. 3.—Did you hear any person accuse J—— P—— with being a ringleader in the mutiny, and that if the first failed he was to make a second attack? A ringleader.

A.—I did.

Q. 4.—Did you see Capt. Wilson on the q'r-deck at the same time J—— P—— and other prisoners were there?

A.—I did.

Q. 5.—Was Capt. Wilson, or any of the troops or ship's company under arms at that time, and what arms had Capt. Wilson? The guard under arms.

* Not available.

1802

9 Aug.

A.—To the best of my knowledge all the troops were under arms, and the arms Capt. Wilson had in his hands were a pistol, and either his own sword or a cutlass; dep't had at same time a pistol and a cutlass.

Q. 6.—Did you hear any person say, "Shoot, shoot the rascal?" and if you did, who was that person?

A.—I did, and Capt. Wilson was that person.

Captain
Wilson.

Q. 7.—Have you ever heard Capt. Wilson express his satisfaction at J—— P—— being shot, and if he had not been shot he wo'd have shot him himself, for he was the greatest villain in the ship, or words to that effect?

A.—I have repeatedly heard Capt. Wilson express his satisfaction, and I heard him say that he had a pistol in his hand to shoot him, had it not been before done; and I have repeatedly heard Capt. Wilson call J—— P—— the greatest villain in the ship.

Q. 8.—Did you conceive the mutiny to have been entirely subsided when Prendergass and others were on the quarter-deck?

A.—I did not.

Proceedings
after order
had been
restored.

Q. 9.—Was not Capt. Wilson, some of the party, and seamen under arms a considerable length of time after J—— P—— was dead?

A.—They were.

Q. 10.—Do you know whether J—— P—— was or was not ordered from one side of the q'r-deck to the other?

A.—I believe he was not.

Q. 11.—Had Capt. Wilson and myself any conversation during the time Prendergast was on the quarter-deck?

A.—They had.

Firing on the
prisoners.

Q. 12.—Did not Capt. Wilson and his party follow the prisoners, altho' the q'r-deck was cleared, and continue firing on them until you desired them to desist; and where was I at that time, and did I give any orders to the soldiers to fire?

A.—They did continue firing on them as stated in the question; Mr. Betts was on the quarter-deck, and I did not hear him give any orders for the soldiers to fire.

The guard
forewarned.

Q. 13.—Now, sir, as you had understood Capt. Wilson and his party had been apprized of this mutiny near a month before it broke out, do you not think there was some marked neglect on the part of the troops being in such a scattered and defenceless state when the prisoners rushed aft, and was not the alarm first given by the female convicts, and was I not the first that came out, after having had a blunderbuss snapt at me, which fortunately missed fire?

A.—I think there was some mark of neglect on the part of the troops that the first alarm was given by the female convicts;

Capt. Betts was the first that got out of the cabin, and I believe a blunderbuss was snapt at him, but I did not see it as I was within the cabin. 1802
9 Aug.

Q. 14.—If the officers had been collected together immediately after the mutiny, do you think they would not have subscribed a general approbation of my conduct, and Capt'n Wilson among the rest? The feeling of the officers.

A.—I think they would ; I should have done it myself.

Q. *by the Court.*—Were the soldiers musketts usually kept loaded before the mutiny ?

A.—They were about a week before.

Q. 2.—Was the prisoner acquainted with the intended mutiny before it happened? The mutiny anticipated.

A.—I believe he was.

Q. 3.—Were any of the prisoners let out of irons between the time the information was given and the mutiny took place?

A.—I believe not ; I cannot say.

Q. 4.—Did you receive any orders from Capt. Betts to fire on the prisoners or to cease firing?

A.—I did not, either in one case or the other.

Q. 5.—Can you mention the number of prisoners that were out of irons at the time the mutiny broke out, and was J—— P—— one? Prisoners out of irons.

A.—I suppose about twenty-five or thirty, and those people were principally to assist the surgeon, and J—— P—— was not one.

Q. 6.—State to the Court the interval of time between the convicts being driven from the q'r-deck and the firing ceasing to the time J—— P—— was shot?

A.—To the best of my knowledge the interval of time was from ten minutes to a quarter of an hour.

Q. 7.—Were any other convicts on the deck, except such as were ordered up, at the time J—— P—— was shot?

A.—I cannot say ; I did not see any.

Q. 8.—Did any other person, except T——, accuse J—— P—— of being a ringleader, and did you believe him to be such? A ringleader.

A.—At that time no other person accused J—— P—— except T——, but he was previous to that time generally understood to be such.

Q. 9.—Was it in the power of the prisoner to have confined J—— P—— at the time he was shot in any manner he might have thought proper?

A.—I do not think it was ; nothing was secure in the ship, and she was in an entire state of confusion.

Q. 10.—What number of men were usually let upon deck daily between the information given and the mutiny taking place?

A.—Any number the surgeon thought proper.

[This evidence of the chief mate was corroborated by John Carr, purser, Ebenezer Jenkins, cooper, and Henry Taylor, boatswain's mate, all of the Hercules.]

1802 Mr. Richard Brooks, master of the Atlas transport, being sworn:—
 9 Aug. Q. 1.—Did you not hear Capt. Wilson express his perfect satisfaction at J—— P—— being shot, and of my general conduct during the mutiny; and was not Capt. Wilson and myself on the most friendly terms both at Rio and the Cape?

Captains
Wilson and
Betts.

A.—I have heard Capt. Wilson express his satisfaction at the general conduct of Capt. Betts during the mutiny, and all the fault he found with Capt. Betts was his showing too much lenity to the convicts and having too many out of irons.

Q. by the Court.—Did you understand Capt. Wilson by lenity to mean that the convicts were too much out of irons before the mutiny?

A.—I did.

Here the prisoner closed his evidence, and the Court, after hearing his address, adjourned to to-morrow morning at 10 o'clock.

9th July, 1802.—The Court met pursuant to adjournment.

Guilty of
man-
slaughter.

The Court, after mature deliberation, are satisfied that a mutiny actually existed on board the ship Hercules, of which the prisoner, Luckyn Betts, was master; do, therefore, acquit him of the first count in the indictment, but find him guilty of manslaughter on the second, and do sentence him to pay a fine of £500, to be appropriated to the Orphan Fund of this colony, and that the said Luckyn Betts be imprisoned until the said fine of £500 be paid.

W. PATERSON,

Judge and Pres'd't.

REGULATIONS FOR SALE OF GOVERNMENT MERCHANDISE.*

10 Aug.

Sydney, 10th August, 1802.

Goods by the
Coromandel
and Perseus.

You are hereby required and directed to receive into your charge the investment of articles for barter, arrived by the Coromandel and Perseus, transports, and to exchange them for grain or money with such of the inhabitants as I may grant that indulgence to; and in consequence of directions from His Majesty's Principal Secretary of State for the Colonies, dated the 30th of January, 1802, you will observe the following regulations, viz. :—

Printed
price lists.

1st.—You are to publish a printed notice stating the general prices of each article, with an advance of 50 per cent. on the prime cost.

2nd.—To issue no article without my written order.

3rd.—Such articles as are wanted for the public use of the colony you will expend as such, on receiving my separate orders for that purpose, taking proper receipts for the same.

* These instructions were addressed by the Governor to John Palmer, Esq., Commissary.

4th.—You will credit His Majesty's Treasury with the amount of the prime cost and charges of articles sold or bartered. 1802

5th.—You will deduct 5 per cent. from the profit of the sales and exchanges, for this additional trouble to yourself and the storekeepers charged with the retail. 10 Aug.
The receipts.

6th.—After paying salaries to the two additional superintendants of £50 a year each, from the profits arising from the barter or payment of the said investments, you will deliver the value of such overplus profit arising from the said 50 per cent., into the hands of the Treasurer of the Orphan Fund twice a year, i.e., on the 20th of July and 20th day of February, taking the committee's receipt for the same as your voucher. Distribution
of profits.

7th.—You are required to keep a particular and distinct statement of the disposal of the several articles and the appropriation of the profits thereof, authentic copies of which you will deliver me half-yearly, to transmit to the Principal Secretary of State for the Colonies, duplicates of which you will forward to the Secretaries of the Treasury and Commissioners for Auditing Public Accounts. Half-yearly
accounts.

PHILIP GIDLEY KING.

GOVERNOR KING TO COMMISSIONER PALMER.

11th August, 1802. 11 Aug.

WHEREAS from the increase of convicts sent to this colony, and it having been necessary to commence another agricultural settlement at Castle Hill for the employment of the convicts at public labour; and as Government has been prevented from having its cultivated grounds connected, by reason of the grants that have been made about Toongabbee; and as the public benefit requires that there should be a Principal Superintendant to inspect into the public cultivation carried on at the different settlements,—I have judged it proper to appoint Mr. Richard Fitzgerald, superintendant to that trust, to whom you will pay an additional £50 per annum out of such monies or stores as you may have in your charge belonging to the Crown, including the same in your accounts with the Lords Commissioners of His Majesty's Treasury, accompanied with its proper vouchers. And there being an equal necessity for having an additional superintendant to reside at Castle Hill, and another additional superintendant to superintend and construct public buildings, you are hereby required and directed to pay each of the above two additional superintendants £50 per annum, commencing from the 31st of last March, from the fund pointed out by my Order of the 10th instant, for which this shall be your Order. Castle Hill.

A superin-
tendent
appointed.

PHILIP GIDLEY KING.

1803
17 Aug.

ABSTRACT of the quantity of ground cleared, the number of acres in wheat and barley, and the number intended to be planted with maize; also the quantity and quality of stock (distinguishing male and female), together with the supposed quantity of wheat and maize belonging to those who hold lands, and others, in New South Wales, as appeared at the Settlers' Muster, taken at the different Settlements by His Excellency the Governor, between the 10th and 17th of August, 1802.

To whom belonging.	No. of acres Cleared.	No. of acres in—		No. of acres to be planted in maize.		Horses.		Horned Cattle.		Sheep.		Goats.		Hogs.		Bushels of grain in hand.	
		Wheat.	Barley.			Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Wheat.	Maize.
Government	800	422	8	300	9	23	833	545	403	670	..	..	..	..	..	5,513	2,681½
Settlers	9,381	4,523½	255½	2,835½	102	138	295	183	2,805	4,770	330	745	2,182	2,344	7,692½	13,703	
Individuals not holding lands .. ..	..	..	..	..	7	9	..	..	5	8	14	57	813	894	688	822	
Total	10,181	4,945½	263½	3,135½	118	175	1,128	728	8,213	5,443	344	802	2,496	2,738	13,790½	17,106½	

Number of Settlers (Officers holding lands not included).—Men, 418; Women, 16.

STATEMENT of the Number of Men, Women, and Children on and off the Stores in New South Wales, as appeared at the General Musters taken between the 5th and 17th of August, 1802:—

1802
17 Aug.

Settlement.	Men on Stores.	Men off Stores.	Women on Stores.	Women off Stores.	Children on Stores.	Children off Stores.	General Total.
Sydney	468	641	101	461	114	378	2,163
Parramatta, &c.	802	519	139	214	149	237	2,060
Hawkesbury	120	398	12	173	18	216	937
Civil	29	..	..	11	..	5	45
Military	573	..	50	..	74	..	697
Settlers	20	398	..	15	..	..	433
Colonial & coasting vessels	47	81	..	..	..	..	128
Total	2,059	2,037	302	874	355	836	6,453

LORD HOBART TO THE DUKE OF PORTLAND.

My Lord,

Downing-street, 24th August, 1802.

24 Aug.

A memorial has been transmitted to me from Captain Hunter, late Governor of the settlement of New South Wales, praying, in consideration of his services and of his present situation, that some mark of the Royal favour may be bestowed upon him.

As during the whole period of Captain Hunter's administration of the Government of New South Wales, the affairs of that colony were conducted by the Department over which your Grace presided, I can have had no sufficient opportunity of judging of his merits and services. I, therefore, feel happy that I can have recourse to your Grace's sentiments upon this subject, and I herewith enclose a copy of the memorial above-mentioned, and beg to request your Grace's opinion how far Captain Hunter may be entitled to the favour he solicits, in order that I may lay the same, together with his memorial, before His Majesty.

His services
as Governor.

I have, &c.,

[Enclosure.]

HOBART.

HUNTER'S MEMORIAL.*

To the King's Most Excellent Majesty in Council.

The Memorial of John Hunter, captain in the Royal Navy, and late Governor of your Majesty's settlement of New South Wales: Most humbly sheweth:—

That the memorialist was appointed captain of your Majesty's ship the Sirius in the year 1786, then fitting to proceed to the eastern part of New Holland to assist in establishing the settlement of New South Wales.

Captain of
H.M.S.
Sirius.

* This memorial was written in June, 1802. The Duke of Portland informed Lord Hobart, on 3rd October, 1802, post, p. 847, that he thought Hunter entitled to a pension of £300 per annum. See Hobart to Addington, 13th October, 1802, post, p. 852, and reply, 15th October, 1802, post, p. 854.

- 1802** That the memorialist arrived there in **January, 1788**, and continued on that service until the **Sirius** was **wrecked upon Norfolk Island** in **March, 1790**, where he remained until **February, 1791**, great part of that time in the utmost distress for want of the necessaries of life.
- 24 Aug.** —
- Wrecked at Norfolk Island.** That in **March, 1791**, the memorialist, with the remains of his ship's company, sail'd from **New South Wales** for **England**, in a small Dutch vessel, chartered by **Governor Phillip** for that purpose, and after experiencing for a considerable time extreme distress both from hunger and thirst, arrived in **England** in **April, 1792**, having been thirteen months on the voyage, nearly the whole of which time he was upon the ocean.
- Returns to England.** That during his employ in the **Sirius** upon the service of the new colony, he made a very distant voyage for the purpose of procuring various articles of supply for the settlement, in which he had the good fortune to succeed, and to meet the perfect approbation of the Governor in the performance of that particular service.*
- His voyage to the Cape.** That the memorialist conceives it his humble duty to state that when **Governor Phillip** was nominated to the chief command of the expedition destin'd to establish the settlement on the coast of **New Holland**, a dormant commission, sign'd by your Majesty, was given to the Governor, by which the memorialist was appointed to the chief command and the government in the event of the death or absence of the Governor.
- His dormant commission.** That in consequence of this gracious intention of your Majesty, and in consideration of the number of years the memorialist had been employed in the service of the settlement, he was, upon the resignation of **Governor Phillip**, appointed by commission under the Great Seal (dated 6th November, 1794)† to succeed to the government, and arrived in that country in 1795, when he took upon himself the administration of the affairs of the colony.
- He is appointed Governor.** That from the time of his arrival there, he took the most unremitting pains to forward every measure he conceived likely to promote the prosperity of the infant colony, and transmitted by every opportunity correct representations of the state of the settlement to your Majesty's Ministers, from whom he received answers creditable and satisfactory to himself.
- His services in the colony.** Your Majesty's memorialist, therefore, most humbly prays that as he is so far from having added to his private fortune by his zealous services in **New South Wales**, that he has now little more than his half-pay as a captain in the Navy to subsist upon, your
- His half-pay.**

* On 2nd October, 1788, Governor Phillip despatched the **Sirius** under Captain Hunter, to the Cape of Good Hope, for supplies. The voyage was made round the Horn, and the return across the Indian Ocean. When rounding **Tasman's Head**, the vessel had a narrow escape of going ashore in a heavy gale of wind. She arrived at **Port Jackson** on 9th May, 1789, in such a shattered condition—according to an eye witness—that at first the ship was not known. See vol. i, part 2, pp. 183, 224, 373.

† Hunter's Commission was dated 6th February, 1794. Vol. ii, p. 110.

Majesty will be most graciously pleas'd to confer upon him such marks of your Majesty's royal favor as may be judged fit, and your Majesty's memorialist will, as in duty bound, most humbly pray.

1802

24 Aug.

JNO. HUNTER.

LORD HOBART TO GOVERNOR KING.

Sir,

Downing-street, 29th August, 1802.

29 Aug.

I have received and have had the honor to lay before the King your letters addressed to the Duke of Portland of the dates specified in the margin.* I have also received from Mr. King your letters addressed to him of the 21st and 23rd of August,† which I have perused with great attention.

King's letters

I observe with a considerable degree of satisfaction the good effects which appear already to have arisen from the plan lately adopted of furnishing the colony with supplies, and I trust that the steps which you have taken to prevent monopoly, and to encourage the importation of dry goods, will shortly enable the inhabitants at large to avail themselves of the advantages to be derived from this system.‡

The Government im-
portations.

A supply of salt provisions will continue to be sent out until the increase of the live stock of the settlement shall render this assistance no longer necessary. The contract you have entered into for a supply of cattle and rice from India§ appears to be advantageous, and, together with the measures you have taken for procuring salt pork from Otaheite, meet my approbation. I shall wait with much anxiety for an account of the voyage of the Porpoise for this purpose to Otaheite, on the success of which it must depend how far it may be advisable to send another ship; but in any event I conceive a vessel of less dimensions than the Porpoise would be perfectly adequate to that service. I lament that the ill-success of your application for a supply of pork to the inhabitants of Norfolk Island, was occasioned by a failure of the crops in that settlement. The reasons assigned in your separate letter A|| are such as to have justified you in the purchase of the necessities to which you have alluded from the master of the Anne transport and the supercargo of the American ship Missouri, as well as of the provisions therein mentioned to have been furnished for the public stores by private individuals, I have had great satisfaction in observing from a communication which has been made by Vice-Admiral Sir Roger Curtis to the Lords of the Admiralty, that one hundred tierces of salt beef have been forwarded from the Cape of Good Hope to New South Wales on board the Hercules and Atlas convict ships.

Salt provisions.

Pork from
Otaheite.Articles
purchased
from
traders.Salt beef
from the
Cape.

* These were the letters forwarded in August, 1801, by the Albion—ante, p. 462 *et seq.*

† Ante, p. 497. The letter of 23rd August is missing.

‡ See Governor King to the Duke of Portland, ante, p. 490.

§ See the Government contract with Robert Campbell, ante, p. 312.

| Ante, p. 440.

1803
29 Aug.
 The Transport Board.

An extract of that part of your letter relating to the stores which were sent out by the Earl Cornwallis and the Royal Admiral has been transmitted to the Commissioners of Transports, and I have given directions to that Board to provide and forward to New South Wales the several articles which you have requested may be sent out for the use of the colony. I herewith transmit to you a copy of the letter which I directed to be written to the Commissioners on this occasion, by which you will observe that your request for fifteen pipes of port wine for the use of the officers of the civil and military department has been attended to. The same regulations must be adopted for the sale of this wine as you have already been instructed to pursue with regard to the sale of other articles. A quantity of blankets will also accompany the other stores, in compliance with your application.

The price of food supplies.

The General Orders you have published for the purpose of regulating the price of grain and animal food, appear to have been attended with very beneficial consequences, and it will be proper that you should persevere in the same system as long as it shall be found productive of advantage to the settlement.

The importation of spirits.

I highly approve of your continued exertions to prevent the improper importation of spirits.* The introduction of beer into general use among the inhabitants would certainly tend in a great degree to lessen the consumption of spirituous liquors. I have, therefore, in conformity to your suggestion, taken measures for furnishing the colony by the present opportunity with a supply of ten tons of porter, six bags of hops, and two complete sets of brewing utensils. I have also recommended to the merchants concerned in the New South Wales fishery to send out by their ships a further supply of porter, and I shall take care that a quantity of hop plants are sent thither at a proper season of the year.

Malt liquors.

Floods in the Hawkesbury.

Your account† of the distressing situation of the settlers on the Hawkesbury, occasioned by the repeated and destructive inundations of that river, could not but excite the greatest concern, and I cannot help fearing that unless some mode can be devised of guarding against the evils which these unfortunate people have so frequently experienced, even the most persevering will eventually be deterred from subjecting the fruits of their industry to similar misfortunes. How far that end is likely to be attained by the adoption of the plan, suggested in my dispatch No. 1,‡ of introducing into that district the culture of rice, your local knowledge will best enable you to judge and I am anxious to be in possession of your sentiments on this subject, but I confess that subsequent information has led me to apprehend that considerable obstacles will be found to the attempt.

The cultivation of rice.

* Ante, p. 463.

† Ante, p. 491.

‡ Ante, p. 686.

The measures you have pursued to render the labour of the convicts employed on the public account as productive as possible, are laudable, and I approve of your having, with this view, hired and cropped one of the farms which, in consequence of the reduced situation of the individuals to whom they belong, are now lying waste.* In adverting more particularly to this topic it is impossible not to lament that so many of these farms should be suffered to remain in their unproductive state. I would, therefore, recommend to you to extend your plan of renting, on the part of Government, to as many of those farms as you may have the means of managing, and of taking them for a term of years in preference to an annual rent. In some instances, where the proprietors should appear deserving, it may be advisable to encourage their industry by giving them the assistance of convicts to work on their lands, stipulating that they should pay for the labour thus afforded them out of the produce of their crops, at the common rate of labouring wages.

1802

29 Aug.

The labour of convicts.

Renting farms.

An extract of your letter relating to the supplies of His Majesty's armed vessel Porpoise, together with copies of the papers therein referred to, has been transmitted to the Commissioners of the Navy and to the Victualling Board.

H.M.S. Porpoise.

Your report† of the progressive state of the woolen and linen manufactories leads me to anticipate that the settlement will thereby derive the most essential advantages from them. The exertions which have been made by certain of the settlers to improve the growth of wool are highly creditable to the individuals, and cannot be too much encouraged with a view to the future exportation of the finest quality of that article for the market of this country, rather than for the employment of it in the manufactures of the colony, which should be confined to the coarser kind of cloth.

Wool and linen.

I felt highly interested in the perusal of your account‡ of the progress which has been made towards the completion of the institution for the care of the female orphan children, which no doubt will continue to be an object of your particular attention. An establishment of a similar nature, for the reception of males, could not fail of being productive of the best effects, and I shall have great satisfaction in hearing of the adoption of a plan for that purpose.

The Orphanage.

Your report§ of the encreasing state of the live stock of the colony is very satisfactory. I perfectly coincide with you as to the propriety of assisting some of the most industrious settlers with the use of a certain proportion of the labouring oxen and cows belonging to Government. It appears to me that the most

The live stock.

* See Governor King to the Duke of Portland, of 21st August, 1801, ante, p. 462. The farm consisted of 171 acres, the rent agreed on being 15s. per acre. King estimated in August, 1801, that it would yield upwards of 20 bushels to the acre.

† Ante, p. 323.

‡ Ante, pp. 464, 469, 717.

§ Ante, p. 465.

1802

29 Aug.

advisable mode of rendering this assistance would be to let out such cattle at a moderate hire, the amount of which the borrower should undertake to pay in produce, to be delivered at a specified rate into the Government stores. By this means the object of the individuals might be attained without prejudice to the public interests. It is certainly very desirable that no pains should be spared to secure some of the wild cattle, and I trust that the persons whom you have employed will succeed in their endeavours for that purpose.

The purchase of officers' live stock.

I do not disapprove of your having directed Mr. Balmain's stock of cattle to be received into the herds belonging to Government, and as you appear to be satisfied with the valuation thereof, which accompanied your letter, I shall advise the payment of any bills to that amount which may be drawn under your authority in favour of this gentleman. The proposal to which you have alluded, relating to the purchase of Major Foveaux's flock of sheep, does not appear to have been transmitted, but I shall not object to your making this purchase, provided the terms on which it can be concluded are such as shall appear to you to be advantageous to the public.*

Irish rebels recommended for pardon.

Your representation† in favour of certain persons who were sent to New South Wales from Ireland during the late rebellion in that kingdom, has been communicated to the Lord Lieutenant, and I herewith enclose a copy of His Excellency's letter to Lord Pelham on the subject. The necessity of observing the utmost caution in every transaction with these people is so very obvious that I am very much inclined to doubt the propriety of considering their good conduct during the short period of their residence in New South Wales as an atonement for the crimes on account of which it was deemed essential to the safety of their country to expel them from Ireland; and therefore, altho' I see no objection to your continuing to shew indulgence to those whom you have thought deserving objects of it, I am of opinion that they should not be permitted to leave the colony.‡

Conditional emancipation.

The Catholic priests§ Dixon, O'Neal, Harold, and a man named Abraham Gough, have been represented to me as persons

* See Governor King's letter to the Duke of Portland, of 21st August, 1801, ante, p. 465.

† Ante, p. 463.

‡ See the letter from the Lord Lieutenant of Ireland to Lord Pelham, of 21st May, 1802, Enclosure No. 1, post, p. 830.

§ The Rev. James Dixon.—Cardinal Moran, in his "History of the Catholic Church in Australia," quotes a letter (6th December, 1798) from the Bishop of Ferns to the Archbishop of Dublin, in which he thus refers to the Rev. James Dixon:—"I have known him intimately these many years, and have never heard that he injured, insulted, or offended man or womankind. He ever appeared to me a simple, sober, virtuous, pious priest, so that I cannot but feel for his unmerited sufferings." He was convicted and sentenced to death, the sentence being commuted to transportation to Botany Bay for life. He arrived at Sydney in the *Friendship*, 16th January, 1800. On the 13th April, 1803, Father Dixon was conditionally emancipated, and allowed to exercise his clerical functions, being the first Roman Catholic priest who was permitted to do so. The first Mass was performed on Sunday morning, 15th May, 1803. In 1806 he was allowed to return to Ireland, where he died in 1840, in the 82nd year of his age.

The Rev. Peter O'Neil was arrested in Ireland on suspicion of complicity with the rebels. Without any form of trial whatever he was cast into prison. At the expiration of three days

who may not be undeserving of the conditional emancipation above explained; if their conduct should have justified this representation, and you should be of opinion that the priests may be usefully employed, either as schoolmasters or in the exercise of their clerical functions, you may avail yourself of their services and allow them such moderate compensation as, under the circumstances of their case, you may judge reasonable.

1802

29 Aug.

Priests as schoolmasters.

The frauds which have been practised by your clerks and those of the late Governor,* by making an alteration in the indents sent out with the convicts, and thereby shortening the periods for which certain of them were sentenced to transportation, render it highly necessary that a proper example should be made of the offenders, and I trust that the steps you have pursued for the discovery and punishment of the persons concerned, will effectually put a stop to such proceedings in future. In order to facilitate your endeavours to ascertain to what extent this practice has prevailed, I herewith transmit for your information duplicate lists of the convicts which were transported from this country to New South Wales during your predecessor's administration, specifying the several periods of their respective sentences.

Frauds by clerks.

I refer you to a correspondence communicated to me by Lord Pelham, and herewith enclosed,† which has passed between the Secretary of State for the Home Department and the Lords Commissioners of the Admiralty for the particulars of a plan which it is intended to adopt for the regular conveyance of convicts to New South Wales twice in each year. The mode proposed by the Lords of the Admiralty of employing the ships which may be appropriated to this service in bringing Home timber has been approved, and I have received the King's commands to direct that you should take such steps as shall appear to you most advisable for preparing timber of the description required, and in the manner recommended by the Navy Board. I also transmit to you a list of articles,‡ the produce of New South Wales, which I have to recommend to your notice as proper to be exported in the ships above-mentioned.

Semi-annual transportation of convicts.

he was taken out, and an attempt made to extort from him a confession; failing this, he was stripped and given 275 lashes. The annals of Norfolk Island in its worst days do not contain anything to equal the treatment this priest is alleged to have received from the hands of the soldiery. He was sent out to New South Wales in the Anne, arriving on 21st February, 1801. He was pardoned and allowed to return to Ireland on 15th January, 1803.

James Harold.—It is alleged that Father Harold was sent out to the colony without any formal trial. He sailed in the Minerva with General Holt and a number of other Irish prisoners—mostly suspects. The vessel left Cork on 24th August, 1799, and arrived at Sydney, 11th January, 1800. Harold was charged with complicity in the alleged attempted rebellion at Sydney in 1800; but no evidence has survived which would justify us in concluding that the suspicion was well founded. He was, however, banished to Norfolk Island. When that Island was abandoned in 1807, Father Harold, with others, was taken to Tasmania. In the following year he was allowed to return to Sydney; and in July, 1810, he was permitted to leave the colony. After spending five years in America, he returned to Ireland. He died on the 15th August, 1830, aged 85, and was buried in the old Richmond Cemetery, Dublin.

* Ante, pp. 224 and note, 445, 464 and note, 499 and note.

† As Lord Hobart repeats in this letter all the vital details of the proposal, the enclosure is omitted.

‡ Enclosure No. 2.

1802
29 Aug.
Manufacture
of iron.
Export of
indigo.

It would be advisable to have the iron manufactured into what is termed bar iron, since in that state it might be found an advantageous article of export to this country and to India. How far it may be advisable to encourage to any extent the culture of indigo as an article of export must depend in a great measure upon the expence of preparing it so as to be fit for use; and I therefore desire you will cause some cakes to be made and sent home as a specimen, accompanied by a calculation of the cost of preparing it, together with any other information of which you may be in possession on this subject.

Clergyman
at Norfolk
Island.

Provided the conduct of Mr. Fulton,* during the time he has performed the duties of a clergyman in Norfolk Island, has been such as to merit your approbation, you are at liberty to employ him in that situation, and to allow him to receive the salary allotted to the clergyman of that island, to commence from the date of his having begun to officiate.

Dispute
between
Captain
Brooks and
Surgeon
Jamison.

I herewith transmit to you an extract of a letter† from the Captain of the Atlas, convict ship, to the Commissioners of Transports, and communicated by them to me, relating to the conduct of Mr. Jamison on his return to New South Wales in that ship. Should a similar representation have been made to you, I trust that you will have caused a full and particular enquiry to be made into the circumstances therein stated. In the event, however, of that not having been done, I am to desire that you will, immediately upon the receipt of this dispatch, direct an investigation to be made into the subject, and report to me the result by the earliest opportunity. Directions will be given to Mr. Balmain to return to New South Wales as soon as the period for which he has obtained leave of absence is expired.

Surveyor Alt
to retire on
half pay.

In consequence of your favorable representation‡ in behalf of Mr. Alt, I recommended to the Lords Commissioners of the Treasury to allow that gentleman the half-pay of his appointment of Surveyor-General of New South Wales for life. I also recommended that Mr. Grimes may be appointed his successor, and that a deputy surveyor should be sent out to Norfolk Island, to all of which their Lordships have acceded, as you will perceive by the enclosed copy of a letter from Mr. Vansittart to Mr. Sullivan. By the copy of another letter from the secretary of the Treasury to Mr. Sullivan you will observe that your recommendation of Mr. James Williamson to be Deputy Commissary in New South Wales has been acceded to.

Appoint-
ments.

* The Rev. Mr. Fulton, a Protestant clergyman, arrived here in the *Minerva* on the 11th January, 1800. He was sent out for alleged complicity in the Irish rebellion.

† 14th April, 1802, ante, p. 739.

‡ Ante, pp. 342, 468.

I entirely agree with you in the propriety of affixing an established value on the different coins in circulation in the colony. The proclamation you have issued on this subject appears calculated to produce the desired effect.*

1802

29 Aug.

The
currency.

Under the circumstances stated in your separate letter B † I do not hesitate to approve of the purchase you directed to be made of the Harbinger, brig, for the public use of the colony.

The
Harbinger.

I had great pleasure in observing the result of the survey you directed to be made of the Coal River, ‡ and I approve of your having established a small post in that quarter for the purpose of collecting coals there on account of Government. I shall be glad to hear that your endeavours to render this undertaking a source of revenue are attended with success. It may be advisable for this purpose to encourage the commanders of ships returning to India and to the Cape of Good Hope to take in coals for those markets.

The settle-
ment of
Hunter
River

A copy of your military letter, No. 3, § has been transmitted to His Royal Highness the Commander-in-Chief for his information, and I have referred such parts thereof as relate more immediately to the departments over which they preside, to the Secretary of War and the Board of Ordnance.

King's mili-
tary letter.

I herewith transmit to you the copy of a letter which has been received by Mr. Sullivan from the Deputy Secretary at War on the subject of the pay and stoppages of the troops serving in New South Wales.

Your appointment|| of Ensign Barrallier to succeed Captain Abbot in the execution of the duties of Engineer and Artillery Officer appears to have been expedient, and, from the favorable representation you have made of the ability of this officer, I shall recommend that such bills as you may authorize being drawn, on account of an allowance to be made to him, at the rate of seven shillings and sixpence per day, shall be paid, until you receive further instructions upon the subject. Such officers of the New South Wales Corps as are in England on leave of absence have been ordered to return to their duty.

Ensign
Barrallier.

The whole of the circumstances arising out of the trial of Lieutenant Marshall have received my most serious consideration, and, altho' I lament that this proceeding should have been the occasion of so much difference of opinion, I am disposed to believe that this has proceeded on all sides from the peculiarity of the case. I have thought it right to refer the whole of the documents¶ which you have transmitted relating to the trial to the consideration of His Majesty's Attorney and Solicitor General, but I am

The trial of
Lieutenant
Marshall.

* See the Government and General Order of 19th November, 1800, ante, p. 256.

† Ante, pp. 861 and 466.

‡ Ante, p. 476.

§ Ante, p. 492.

|| Ante, p. 503.

¶ These documents will be found enclosed in Governor King's letter of 25th September, 1801, ante, p. 524 et seq.

- 1802** apprehensive I may not have their report in time to be able to
29 Aug. communicate to you the result by the present opportunity. Your
suggestion of making an alteration in the existing mode of con-
stituting the Court of Criminal Judicature in New South Wales,
by introducing a mixture of civil with the military and naval
officers of which it is at present formed, appears to be very
deserving of attention.
- Lieutenant-
Governor
Foveaux.** I have already communicated to you, in my letter of the 30th
of January last* my approbation of the conduct of Lieutenant-
Governor Foveaux in the administration of the affairs of Norfolk
Island. By the accounts, which, in compliance with your instruc-
tions, he has addressed to the Duke of Portland, and of which I
conclude you are also in possession, the interests of this settlement
appear to have occupied his continued attention. The measures
he has taken to prevent a future scarcity of provisions, by planting
a quantity of wheat and Indian corn, were judicious; and I
**Approval of
his conduct.** approve of his having, with the same view, appropriated and put
into a state of cultivation a proportion of land for the purpose of
the better preservation and encrease of the stock of swine. His
account of the favorable examination which has been made of
Anson's Bay has been communicated to the Lords of the Admiralty
and to the Commissioners of Transports.
- Payment of
bills.** In conveying my sentiments to Lieutenant-Governor Foveaux
on the several subjects to which I have above adverted, I desire
you will at the same time inform him that I have recommended
the payment of the bills of the amount specified in the margin,†
being a part of the bills which are stated in his letters to have
been drawn on the Lords of the Treasury on account of the
expences of Norfolk Island. It is right, however, that you should
apprize him, in order to prevent the recurrence of a similar
inaccuracy, that in his letter to the Duke of Portland of the 12th
of March it is stated the bills therein mentioned were drawn on
the 10th of that month, whereas it would appear by his letter of
An error. advice to the Treasury that the same bills were drawn on the 9th.
- I cannot conclude this dispatch without expressing to you the
hope I entertain that no considerable period will elapse before the
resources to be derived from His Majesty's settlement of New
South Wales will be found adequate to the consumption of all
essential articles of provisions, and that a material diminution will
consequently take place in the burthen at present borne by this
country.

I have, &c.,

HOBART.

[Enclosure No. 1.]

THE LORD LIEUTENANT OF IRELAND TO LORD PELHAM.

My Lord,

Dublin Castle, 21st May, 1802.

Irish rebels.

I have the honor to acknowledge your Lordship's letter of
the 15th instant, transmitting an extract of a letter from Governor

* Ante, p 688.

† £1,130 8s., £571 11s. 6d., £367 10s., £3,389 1s. 6d., £500.

King, stating the steps which he had thought it right to take with regard to the Irish insurgents that have been sent to New South Wales, and desiring to have my opinion as to the propriety of pardoning certain persons (16) whose names have been transmitted by Governor King, or any and which of them.

1802

29 Aug.

I beg leave to observe to your Lordship that I should find it a matter of great difficulty to procure documents respecting the offences of each of these persons on which I could with propriety either recommend or resist their being allowed to return to this country. The instances have been very few in which I have judged it expedient to remit the sentences heretofore passed on persons engaged in the rebellion in Ireland, and only in cases where I was satisfied, from the testimony given to me, that no evil could result from the indulgence. However good the conduct of the prisoners may have been during the time of their confinement at New South Wales, I should not consider that, on such grounds alone, they should be permitted so soon to return to Ireland, and it does not appear to me that I am enabled to form a competent judgment of the circumstances under which any one of the persons contained in Governor King's letter have been transported.

Difficulty of ascertaining their offences.

Good conduct in New South Wales not sufficient ground for pardon.

The sentences were mostly by Courts-Martial prior to the time when the proceedings of such Courts were sanctioned by law, and in other instances the convictions were summary before magistrates who exercised their powers under the Insurrection Acts, and whose proceedings were, in the disturbed state of the country, not recorded.

In answer to that part of your Lordship's letter which desires to have "a correct list of the Irish insurgents who were transported to New South Wales during the late rebellion, with the nature of their offences and the terms for which they were severally transported placed opposite to the name of each person, in order that the same may be transmitted to the Governor of New South Wales," I am to acquaint your Lordship that accurate lists were made and transmitted to New South Wales of all convicts sent there from Ireland previous to the sailing of the *Friendship*, but that a return has not been kept of the prisoners embarked on board that vessel. They were composed of rebels and deserters convicted by Courts-Martial previous to the law of 1799, and who were sent during the rebellion to the military dépôt of New Geneva Barracks, and embarked by the officer commanding there without any trace of such proceedings have been anywhere recorded. Some persons of a similar description were afterwards embarked on board the *Anne*, transport, for New South Wales, and, with much difficulty, an account of the sentences of these persons (as far as they could be learned) was made out and sent to the Governor. With the *Minerva*, transport, accurate lists

Lord Pelham's request for a list of rebels.

Lists sent to Governor.

No records in certain cases.

1802 were sent in the usual manner, as well as with the vessels which
 29 Aug. have since sailed, and duplicates of the lists have been forwarded
 to the Governor as opportunities have since occurred.

I have, &c.,

HARDWICKE.

[Enclosure No. 2.]

PRODUCE of our settlement at New South Wales, which the ships
 carrying out convicts may return with.

Colonial
timbers.

STRING-BARK tree, similar to the teak wood of India.

The box tree, the cedar, a species of mahogany, most of the gum
 trees. The above are fit for ship timber, and the gum trees in
 particular, not only for ship timber, but also for blocks, gun car-
 riages, and other articles, subject to great friction and the like, as
 the wood of them is exceedingly hard and durable. Governor
 Hunter raised the frame of a vessel of 160 tons, which, for want
 of strength, he could not finish, but she stood in frame, exposed to
 the weather upwards of two years, apparently without the smallest
 decay.

Coals.

The sasifras wood grows in great abundance.

Coals which would find an excellent market at the Cape, are
 found almost anywhere.

Native flax grows luxuriantly in New South Wales.

Indigo grows spontaneously, and may be cultivated to any
 extent.

Iron ore.

Bark.—Most of the trees in that country afford a bark strongly
 astringent and well adapted for tanning leather.

Iron ore is found in abundance, and as coals are equally so, it is
 presumed that the Governor may, without difficulty, erect furnaces
 for smelting it. The cinders, or coke of coal, from which the tar
 has been extracted by the usual process of covering the heap with
 clay, and inserting a funnel for carrying off the tar, will give the
 strongest heat.

LORD HOBART TO GOVERNOR KING.

30 Aug.

Sir,

Downing-street, 30th August, 1802.

Reduction
of the New
South Wales
Corps.

It having been determined, in consequence of the definitive
 Treaty of Peace, that a reduction should be made in the strength
 of the New South Wales Corps, as well as in the regiments of the
 line, I have received the King's commands to desire that, upon
 the reduction taking place in that regiment, and for which purpose
 directions will be sent by His Royal Highness the Commander-in-
 Chief, you do make it known in General Orders that such of the
 men as it may be intended to discharge from the service, and who
 may prefer staying in the colony to returning to this country, will
 be permitted to become settlers with the like privileges and

Encourage-
ment to
settle.

advantages as those granted to the marines who became settlers upon the expiration of their respective terms of duty previous to the formation of the New South Wales Corps.* 1803
30 Aug.

In order that His Majesty's gracious intention in this respect may be clearly and explicitly understood by the men whom it may be intended to reduce, I am further to desire that you will take care to have it fully explained to them that they are entirely at liberty to make their election; and that they may all and each of them return Home, if they prefer it to a continuance in the settlement, by the first opportunity that may offer after the Corps shall be put upon a reduced establishment. Settlement purely optional.

HOBART.

LORD HOBART TO GOVERNOR KING.

Sir,

Downing-street, 30th August, 1802.

In addition to my dispatch of the 29th instant,† I think it right, in a separate letter, to call your particular attention to the expence of the colony, to the manner of drawing bills upon the Treasury, and to the internal state of the settlement under your government so far as relates immediately to its cultivation, produce, and live stock. A separate letter.

Upon the first of these points—viz, the expence of the colony—I cannot refrain from urging you in the strongest manner to use every possible endeavour to diminish the heavy charge with which this country has been hitherto burthened from the first establishment of the settlement of New South Wales. The cost of the colony.

Bills amounting to the sum of £10,460 2s. 10½d., drawn by Commissary Palmer between the 31st of March and 3rd of July, 1801, upon the Lords Commissioners of the Treasury, I have already recommended to be paid upon account. The remainder of the bills, which it appears by your letters to the Duke of Portland you have authorized the Commissary to draw, have not as yet been referred for my opinion. Bills drawn by Palmer.

Although I do not wish you to conceive that I imagine there is any part of the expence incurred which has not been absolutely requisite, yet it is incumbent on me, in my official capacity, to point out to you the strict necessity of enforcing the most rigid economy in every branch of the public service under your management and controul. Necessity for economy.

* Non-commissioned officers of the Marines were allowed 150 acres if married and an additional 10 acres for each child. Single non-commissioned officers were allowed 120 acres. Privates were allowed 100 acres, if married, with 10 additional acres for each child, and 80 if single. They were to hold their grants free of all taxes, fees, quit-rents, and other acknowledgments for ten years, and after that to be liable to an annual quit-rent of one shilling for every 10 acres. They were entitled to seed and implements of husbandry from the public stores, and were to be victualled and clothed for one year, and allowed the services of such convicts as their circumstances should appear to the Governor to warrant, on condition of them taking such convicts off the store.

† Ante, p. 823.

1801

30 Aug.

Instructions
for drawing
Treasury
bills.

With respect to the manner of drawing bills upon the Treasury,* I must desire that you will regularly transmit to me separate letters of advice, stating the number of the bill, together with the date, the amount, the service for which it is required, and the name of the person or persons in whose favor it may be drawn. Each bill must also be accompanied with a separate letter of advice from the Commissary or the person whom you may authorize to draw the same, which letter must be produced when the bill is presented at the Treasury. This method will facilitate the business very much, for by drawing the bills in numerical order and beginning each succeeding year with number one, the annual charge of the settlement will be more readily seen. It will also shew at one view the increase or diminution on the different heads of expence.

An
erroneously
dated bill.

In my general despatch I had occasion to observe to you upon an inaccuracy which Lieutenant-Governor Foveaux had committed relative to a date of a bill. As it is necessary that the most minute exactness should be observed in all matters of this nature, you will take care to call the Lieutenant-Governor's particular attention to the circumstance, and, in order that a mistake of this sort may not again occur, you will direct him to draw his bills after the manner herein pointed out to you.

An
explanation
required.

Before I quit this part of the subject, I think it right also to desire that you will call upon Mr. Palmer to explain whether the two bills drawn by him in favor of Mr. Stewart and of Mr. Campbell, and of which letters of advice were received at the Treasury, dated 31st of March, 1801, are two of the four bills of which he sent advice in another letter of the 7th of May, two of these being in favor of the same persons and for the same sum.

Bills drawn
by Foveaux.

Bills amounting to the sum of £5,958 11s., drawn by Lieutenant-Governor Foveaux, or by his order, I have also recommended to be paid upon account; but this is not the total amount of the bills referred to in his letter to the Duke of Portland. I trust, however, that the expence he may find occasion to incur during the current year will not be so considerable as it was in the last.

Internal
state of the
colony.

With regard to the internal state of the settlement, as far as relates immediately to its cultivation, produce, and live stock, I have, with a view to the more easily and distinctly arranging the information His Majesty's Government is so desirous of receiving, caused a table or plan to be sketched out (of which I enclose† a copy for your guidance), for the purpose of enabling you to make a return of the total number of acres either cultivated or held by the Crown, and by the civil and military officers and settlers within the colony.

* The original practice was for the Governor to draw the bills (vol. ii, p. 327); but after Palmer's visit to England an alteration was made and the Commissary drew them (vol. iii, p. 501). King thought this was done unintentionally (ante, p. 316), but he was wrong (ante, p. 685).

† The enclosure is missing.

In filling up this return I should recommend that the settlers be put in classes, according to the proportions of land which they may respectively hold; for instance, those holding 100 acres to be put together, and those holding more or less, according to the different gradations, in like manner. This would prevent the necessity of extending the return to an inconvenient length, and would thereby shew, at one view, the exact state of the settlement, as to its cultivation, its produce, and its live stock.

1808

30 Aug.

Classification of settlers.

As little or no difficulty will, I apprehend, arise in carrying this plan into effect, I shall expect that you will hereafter continue to make similar returns twice in every year, by which the progressive advancement of the colony will be regularly seen. You will also instruct the Lieutenant-Governor of Norfolk Island to proceed in a similar manner, for which purpose you will furnish him with a copy of the enclosed paper.

Form in which returns should be made.

There is yet another point upon which I did but slightly touch in my general letter—that is, the manner in which the convicts are disposed of; but, as your predecessors were furnished with several instructions on this subject, I shall only call your attention generally thereto, and to the Duke of Portland's letters of the 3rd of December, 1798,* and of the 5th of November, 1799,† taking it for granted that you have been guided in this particular entirely by them, and that you have taken care that such of the convicts, above the number allotted to each settler, have been subsisted and clothed by those persons, whosoever they may be, that have benefitted by the labour of these unfortunate people, and that they have not been suffered to remain a burthen on the public, while their services were appropriated to private advantage.

Disposal of convicts as assigned servants.

To be taken off the store.

Having signified to you conditionally my approbation of the purchases which you propose to make of the flock belonging to Lieutenant-Governor Foveaux, and of the stock belonging to Mr. Balmain, I am very much disposed to recommend that you should distribute a certain proportion of the breeding flock and stock amongst such of the settlers as may be inclined to purchase. By this liberal proceeding the breed of sheep and other cattle will be more rapidly increased, and the appearance, which certainly at present exists, of monopolizing the stock by keeping it in so few hands, will, in a great degree, be done away with, whereby the public will derive material benefit.

Officers' flocks.

HOBART.

THE ADMIRALTY TO CAPTAIN JAMES COLNETT.‡

2nd September, 1802.

2 Sept.

WHEREAS the R't H'ble Lord Pelham, one of H.M. Principal Secretaries of State, has signified to us the King's pleasure that a

* Vol. III, p. 512

† Ib., p. 733.

‡ The captain of H.M.S. Glatton.

- 1802** ship of war should be fitted for the purpose of carrying convicts to H.M. colony of New South Wales; and whereas we have thought fit that the ship you command shall be employed on that service, you are, in pursuance of H.M. pleasure signified as above-mentioned, so soon as the convicts whom you have been ordered to receive shall be embarked, and the said ship in all respects be ready, hereby required and directed to put to sea and proceed in her to Port Jackson, in the said colony of New South Wales, accordingly, calling in your way thither at such place or places as you may judge most convenient and proper for the purpose of obtaining refreshment.
- 2 Sept.** You are to victual the convicts during their continuance on board in the same manner as convicts are usually victualled, and on your arrival at Port Jackson to deliver all the said convicts which may then be with you into the charge of the Governor of the said colony, or to some other person or persons as may be authorized to receive them.
- A man-of-war as a transport.** You are to be very careful to keep a sufficient guard upon the said convicts during the time they may remain on board the ship you command, so as to prevent the execution of any improper designs which they may form; and in case it should be requisite on your passage to New South Wales to provide necessaries for them at any port at which you may stop, you are to purchase such necessaries, if they can be procured, and to draw upon the Lords Comm'rs of H.M. Treasury for the amount thereof in the manner pointed out by Lord Pelham in Mr. King's letter to our Secretary, of 2nd of last month (an extract of which is enclosed for your guidance), taking care to transmit proper vouchers for the same, and also to apprise our Secretary, for our information, of the extent of such purchases.
- The Glatton.** And whereas the Governor of New South Wales has been instructed to cause a quantity of timber proper for H.M. service to be cut down and prepared in order to be sent to England for the use of H.M. Dockyards, you are hereby further required and directed to receive on board the ship you command such quantities of the said timber, as well as any other produce of the said colony that may be judged proper to be sent Home, as you can conveniently stow; and having so done, and taken on board such provisions and water as may be requisite for the use of the ship's company during your passage to England, you are to put to sea again, and make the best of your way back to Spithead for further orders, transmitting to our Secretary an account of your arrival, and proceedings.
- Victualling convicts on passage.**
- An efficient guard to be kept,**
- and necessaries purchased.**
- Colonial timber for naval purposes.**
- A return freight for transports.**

P. STEPHENS.
W. ELIOT.
T. TROUBRIDGE.

CAPTAIN LE CORRE TO MR. HARRIS.* (King Papers.) 1802

Sir, Sydney, 10th September, 1802. 10 Sept.

In reply to your letter of this day, I have the honor to acquaint you, for His Excellency the Governor's information, that I sailed from the Isle of France on the 26th July last, bound on a sealing voyage on the coast of New Holland; but that having met with a very hard gale of wind in the neighbourhood of Lewin's Island, I have been obliged to make the best of my way to this port in order to have the necessary repairs done to my vessel before I can proceed on my voyage. I have, therefore, to request that His Excellency the Governor may be pleased to give me permission to have the necessary work done to my vessel, and to sell such of the articles mentioned in the manifest to pay for the same.

A French sealer

seeks refuge in Port Jackson.

I have, &c.,

LE CORRE.

GOVERNMENT AND GENERAL ORDER.

10th September, 1802.

THAT part of the Order of the 6th of July last† relating to Mr. D. Wentworth's going to Norfolk Island as surgeon is countermanded at his own request, and Mr. Charles Throsby, engaged by Mr. James Thomson to do his duty as surgeon of Norfolk Island during his absence, will hold himself in readiness to embark on board the Harrington for that place.

Surgeon for Norfolk Island.

PHILIP GIDLEY KING.

UNDER-SECRETARY KING TO SIR A. S. HAMOND.

Sir, Whitehall, 13th September, 1802. 13 Sept.

The within letter having followed me into the country by mistake has prevented my writing to you earlier upon the subject. The exchange of provisions suggested by Captain Colnett appears to Lord Pelham to be very proper, and it is His Lordship's wish, if there is sufficient time to effect such exchange, that you will give directions at Portsmouth for embarking a sufficient quantity of tea and sugar on board the Glatton for the female convicts, in lieu of their allowance of stock fish and pease.

Female convicts on the Glatton.

I am, &c.,

J. KING.

[Enclosure.]

CAPTAIN COLNETT TO UNDER-SECRETARY KING.

H.M.S. Glatton, Spithead,

Sir, 6th September, 1802.

The duty of the ship and extra duty of the convicts, it would be improper my quitting the spot, and have to hope the bonds for the convicts can be executed here.

* Captain Le Corre was in command of a French schooner named the Surprise. He addressed Mr. Harris by virtue of the latter's position as Naval Officer.

† Ante, p. 797.

1802
13 Sept.
Tea and
sugar
for female
convicts, in
lieu of fish
and pease.

Fever-
stricken
convicts.

An early
departure.

I beg leave to represent to you that I do not think the allowance of tea and sugar sufficient for the women convicts, and that it will be necessary for their healths to allow them double quantity. This they have applied to me for, and would willingly give up their stock fish and pease, the latter disagreeing with them and the fish they cannot eat. If I am right in my calculation, the expense will be less. I mentioned this circumstance yesterday to the Comptroller of the Navy, Sir Andrew Snape Hamond, whom I dined with him, and he was decidedly of my opinion and recommended strongly to make the application to you. Two of the convicts, a man and woman, are so ill it is necessary they should be removed to an hospital to prevent an infection spreading in the ship.

The whole of the male convicts are to arrive on Wednesday, and if the yard people finish the ports we shall sail, wind and weather permitting, on Sunday.

I have received on board Sarah Clayton and family as you requested, and shall be happy at all times to comply with any wish of yours.

I am, &c.,

JA. COLNETT.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

17 Sept.

My Lord,

17th September, 1802.

Purchasing
provisions.

Conduct of
captains of
transports.

The Com-
missary's
returns.

Le
Naturaliste
and Le
Géographe.

Captain
Flinders.

Referring your Lordship to the duplicate of my letter No. 8 to the Duke of Portland, dated 9th June, 1802, also to those to your Lordship dated as p'r magin,* in which I informed of the necessity of purchasing a quantity of salt meat from the master of the American ship Arthur, accompanied by a voucher, and also of the arrival of the ships as p'r margin,† together with a statement of the very proper and laudable conduct of the masters of the Coromandel and Perseus, and the highly improper conduct of the masters of the Hercules and Atlas, to the convicts, &c., during their voyage from England and Ireland to this colony; also the quiet, peaceable, and healthy state of this colony at the latter date; enclosing the Commissary's return of the quantity of salt meat we then had in store, and the time it would last; that we had sufficient grain in Government's hands and that of individuals to continue two-thirds of the full ration to those supported by the Crown until next harvest; that the Geographe and Naturaliste, French ships on discovery, were here refitting, and that Capt'n Flinders, in His Majesty's ship Investigator, with the Lady Nelson, sailed from hence the 22nd July last, to prosecute the service he was ordered on by the Lords of the Admiralty.

* July 23rd, 1802, ante, p. 801; August 9th, 1802, ante, p. 809.

† Coromandel, 13th June; Hercules, 26th June; Atlas, 6th July; Perseus, 4th August.

Having been disappointed in the whaler not returning to this port by which I intended to have sent my answer to your Lordship's despatches dated 30th last January,* and not deeming the present a very safe conveyance, I defer sending it by this ship. Mr. James Thomson, Staff-Surgeon (who has my permission to return to England, for the recovery of his health and to arrange his private concerns, he having been nine years in this colony, and intended to go in the whaler), and as the Commodore of the French ships has signified his intention of dispatching the *Naturaliste* to France from hence, and having, in a very handsome manner, permitted Mr. Thomson and his family to have a passage in that ship, I am induced to send my answers to your Lordship's despatches by that officer, as I have the Commodore's promise that they will remain unmolested in his possession—a measure I should not have adopted was I not possessed of a printed copy of the definitive treaty being concluded between His Majesty and the French Republic.

1802

17 Sept.

Surgeon Thomson.

His passage on *Le Naturaliste*.

Peace with France.

As the subjects in the letters above alluded to will be fully stated in my letters by Mr. Thomson, I only shall inform your Lordship that the unfortunate survivors of the convicts sent in the *Hercules* and *Atlas* are in a state of convalescence, but too weak and debilitated to be ever of much use.

The convicts by the *Hercules* and *Atlas*.

The master of the *Perseus* having (as he says, at the recommendation of Sir Roger Curtis) brought some cattle from the Cape of Good Hope, which are very nearly of the English breed, and being landed in an excellent state, I directed the Commissary to purchase them for the use of Government, the price of which, by the enclosed voucher, your Lordship will observe is £35 a head, which purchase, together with that of 135 gallons of spirits at 7s. p'r gallon, for the use of the Colonial vessels, I hope will be approved of, as every head of female cattle we can obtain will hasten the time of supplying ourselves with animal food.

Cattle from the Cape

purchased for Government.

As I have not yet signed the bills for the grain and animal food delivered into His Majesty's stores by individuals who required payment during the last quarter, i.e., from March to June, and which amounts to £1,213 19s. 3d., I defer sending the vouchers for that payment until they accompany those for the quarter ending the 30th instant, which, with every other necessary document, will be transmitted by Mr. James Thomson, who will doubtless arrive before this comes to hand. I have a pleasure in informing your Lordship the colony remains in the same peaceable and healthy state as when I had the honor of writing last.

The store receipts.

The colony tranquil.

I have, &c., PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

18 Sept.

18th September, 1802.

MICHAEL ROBINSON,† a convict for life, and conditionally emancipated, acting as clerk to the Judge-Advocate and magistrates, perjury.

An emancipist convicted of perjury.

* Ante, p. 688. Only one despatch of 30th January, 1802, is available. † Ante, p. 70 and note.

1803	having been convicted on the clearest evidence before His Excellency, when sitting as judge of the Court of Appeals, of wilful and corrupt perjury, evidently intended to mislead the Governor's decision to the manifest injury of one of the parties in the appeal then before him, and otherwise perverting the course of justice, the said Michael Robinson was sentenced for the above crime by His Excellency during the sitting of the said Court of Appeals, and by virtue of the statutes provided on that behalf, to be transported for seven years to Norfolk Island at hard labour.
18 Sept.	
The sentence.	
A prevalent crime.	On this occasion the Governor considers it necessary to say he has had frequent occasion to think this infamous practice has been often resorted to in this colony for the worst of purposes, that of screening guilty persons from the punishment which the law directs to be inflicted on offenders; and as a caution to those who may be led or advised to commit a crime so destructive to society and the administration of justice, he is determined to bring every offender of that description to the most condign punishment which the law authorises. And as it appeared on the above appeal that a gallon of rum had been most unjustifiably and oppressively demanded as a fee for the delivery of a bail bond, the Governor judges it necessary that the costs attending civil actions should be published for the information of every person under his command, and to require that every other demand should be resisted, viz. :—
Law costs paid in rum.	

Fees allowed to the Provost-Marshal on Civil Actions.

Fees on civil actions.		£	s.	d.
	For every writ or warrant of execution above £10, and not exceeding £20	...	...	...
	To the Judge-Advocate's clerk	...	...	...
	For every writ and warrant of execution above £20, and not exceeding £50	...	...	...
	To the Judge-Advocate's clerk	...	...	...
	For every writ and warrant of execution above £50	...	...	...
	To the Judge-Advocate's clerk	...	...	...

On Summonses.

Summonses.	Two-thirds to the Provost-Marshal, and one-third to the Judge-Advocate's clerk.
	If under 40s., fourpence; if above 40s. and under £5, sixpence; and if above £5, ninepence.
	For every warrant of execution, 2s.

Witnesses fees.

To Witnesses.

	For travelling expenses to Sydney from the Hawkesbury	0	10	0
	Ditto from Sydney to the Hawkesbury	...	...	...
	Allowances per day while attending the Civil Court	...	...	...
	For travelling expenses to Sydney from Parramatta	...	...	...
	Ditto from Sydney to Parramatta	...	...	...
	Allowance per day while attending the Civil Court	...	...	...
	Ditto at Sydney while attending ditto	...	...	...

Court of Appeals before the Governor.

	To the Provost-Marshal, £1 1s.; to the secretary or clerk, £1 1s.; to the doorkeeper, 5s.
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No person will pay fee or reward to any person whatever under Government, except such fees as the Governor allows his clerk (who receives no salary from Government) to demand, a table of which is hung up in the Secretary's office for the information of those who wish to see them. 1802
18 Sept.
Gratuities
forbidden.

PHILIP GIDLEY KING.

JOHN HARRIS TO COMMANDER LE CORRE.

Sir, Sydney, New South Wales, 20th September, 1802. 20 Sept.

His Excellency the Governor, in consequence of your letter of the 10th instant,* and the report of the survey taken on the defects of your vessel, allowed her to enter the Cove, and every assistance given towards repairing those defects, and to sell such of the articles, stated in the manifest, as may be necessary to pay for the same. He directs me to inform you that, observing by your clearance from the Isle of France you are bound on a sealing voyage on the coast of New Holland, and from thence to China, he feels it his indispensable duty to inform you that as he has no official instructions respecting foreigners fishing or sealing on the coasts and islands of his Brittanic Majesty's territory of New South Wales (the limits of which are designed as per margin)†, he does not consider himself authorized to grant any general permission until he has received instructions on that head from His Majesty; but, as it appears that your vessel has been fitted out on a speculative voyage, the failure of which by any interdiction of his might injure those concerned in your vessel individually; and, under the circumstances in which you came here, he does not withhold his permission for your vessel sealing on the coasts of this country, which is to be clearly understood as confined to your vessel alone and not as a general permission, until the Governor receives instructions, which he will solicit by the first opportunity. In the meantime, it is necessary to advise you that he has given an exclusive privilege to some inhabitants of this colony to seal on Cape Barren and the islands adjacent thereunto; and that he has given other English vessels and companies permission to seal on King's Island, at the west entrance of Basses Straits, which will necessarily preclude your undertaking to catch seals on those places. A port of
refuge.

A sealing
voyage.

Foreign
sealers.

Permission
withheld
pending
instructions
from
England.

A particular,
not general,
permission.

Prohibited
localities.

I am, &c.,

JOHN HARRIS, Naval Officer.

GOVERNMENT AND GENERAL ORDER.

24th September, 1802. 24 Sept.

THE rents of leases and quit-rents due from the 28th Sept'r, 1800, to the 28th Sept'r, 1802, are to be paid into the hands of D. D. Mann, at the Secretary's Office, on or before the 28th October next. Leases and
quit rents.

* Ante, p. 837.

† From Cape York in lat'de 10° 39' south, to the South Cape in lat'de 43° 39' south, and from the long'de of 135° east of Greenwich, including the adjacent islands in the Pacific Ocean within the above latitudes.

1802

24 Sept.

Grants and
leases.

The grants and leases not yet delivered are lodged with the said D. D. Mann, at the Secretary's Office, Sydney; the Rev. Mr. Marsden, Parramatta; and T. Arndell, Esq., Hawkesbury, where those to whom they belong will apply and pay the fees previous to their delivery. It is expected that no farther notice on these heads will be necessary, as the Governor has appropriated the above rents and his fees on grants and leases to the benefit of the orphans.

No application to be made for any person going off the stores until after harvest.

Clothing.

The Governor has directed the Commissary to exchange one suit of military dresses for two suits of boys' cloathing, which he is to dispose of for grain to those whom the Governor may approve.

PHILIP GIDLEY KING.

GOVERNOR KING TO CAPTAIN JAMES OLIPHANTE.*
(King Papers.)

25 Sept.

The right of
possession to
the islands
in Bass
Strait.

25th September, 1802.

ON the appearance of any vessel off any of the islands in Bass Straits at which you may be during your present intended cruise in those parts, you are hereby required and directed to hoist an English Union (for which purpose you are provided with two Jacks), which you will keep flying during the stay of such vessel or until you quit such island in the Endeavour, schooner, to prosecute your voyage, for which this shall be your order.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDERS.

27 Sept.

French
marine
instructions.

27th September, 1802.

THE Governor judges it necessary for the present and future information of this garrison and the inhabitants of the colony, to insert the following articles from the French marine instructions, as far as it respects the place. His Majesty's colours were shown on board the French ships now in this port on the anniversary of their new year, viz. :—

Place of
honour for
foreign flags.

"The flags of foreign nations that are intended to be distinguished, are to be hoisted at the starboard main yard-arm, and when there is no necessity for that distinction, no other than the French flag is to be hoisted in that place."

The
Governor's
initials,

It having been the constant practice of the Governor to sign the initials of his name to the many orders and permits which he has an hourly occasion to give, for the delivery of articles from His Majesty's stores, and as it has equally been an allowed and

* Captain Oliphante was the master of the Endeavour, schooner, a whaling and sealing vessel.

known practice for the Commissary and Deputy Commissaries at Sydney and Parramatta to sign the initials of their names to the notes for the delivery of the rations of grain on issuing days, all such signatures that are not disavowed on oath by the Governor, Commissary, and the said Deputy Commissaries are to be accounted as real signatures, the forgery or falsification of which, as it tends to defraud and rob the public stores, will be prosecuted as the law directs, and has amply provided for.

1802

27 Sept.

and the
Commissary's, to be
read as full
signatures.

Rowland Hassall, storekeeper at Parramatta, not having discovered the constant frauds practised by the repeated forgeries of the Deputy Commissary of Parramatta's initials, to obtain wheat from His Majesty's stores, is discharged from that situation, to which a successor will be appointed.

Dismissal of
Rowland
Hassall,
storekeeper.

The stores at Hawkesbury being full of maize, and the Government vessels mostly refitting, no more maize can be taken into the store at that place, but any quantity in cobb will be received into the stores at Sydney.

The Hawkes-
bury store
full.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

30th September, 1802.

30 Sept.

MICHL KNOWLAND is appointed superintendent of convicts in the room of Rowland Hassall.

Knowland
vice Hassall.

The acting Deputy Commissary at Parramatta is directed in future to serve the prisoners their ration of provisions as soon after daylight as possible on Saturday mornings; to the civil and detachment on Monday mornings at 8 o'clock. Those issues to be at the upper store. A centinel is to be placed at the upper store during the time of issues, which a non-commissioned officer will always attend.

The issue of
rations.

The days for grain being received into the stores from individuals at Sydney, Parramatta, and Hawkesbury, is Fridays.

Time for
receipt of
grain.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

1st October, 1802.

1 Oct.

THE Governor having been this day informed that a quantity of spirits had been smuggled from the Atlas, the following rewards will be given on the fullest and most unequivocal proof before the magistrates:

Smuggling
spirits.

To any free person whatever, ashore or afloat, the amount of the penalty, which is two hundred pounds sterling.

Rewards for
detection.

To any convict, an absolute pardon, the Governor's interest to get a passage Home, to be victualled from the stores until a passage can be procured, and the £200 penalty, when recovered.

And if a party concerned discovers and exhibits full and unequivocal proof, the full amount of the penal bond will be given when recovered.

PHILIP GIDLEY KING.

1802	GOVERNOR KING TO SIR JOSEPH BANKS.* (Banks Papers.)
2 Oct.	Dear Sir, Sydney, 2nd October, 1802.
Banks's illness.	I wrote you very fully by the <i>Speedy</i> , dated the last of June.† By the letters I have now received I heard of your being laid up, which is the reason of my not having heard from you.
The Investigator	In my last I informed you of the Investigator's arrival here, and what she had done. She sailed from hence 22nd July to prosecute her discoveries, accompanied by the <i>Lady Nelson</i> . His first object is the Endeavour Straits and the Gulf of Carpentaria, and the north and north-west coasts if he can finish Carpentaria before the N.W. monsoon sets in, which I am doubtful of. In that case he proposes returning thro' the Straits and going to the Feejee Islands, taking the change of the monsoon for his return to survey the N.N.W. and S.E. coasts. I also informed you of the French ships coming here. The <i>Geographe</i> had no more than twelve men to work her when she arrived, including officers, the rest being in the last stage of scurvy and dysentery. I informed you of what they had done in the surveying business, which has been extensive enough, as they have circumnavigated all the west and S.W. coasts of this country, but I do not think they have examined it so closely as not to have left much for Captain Flinders to do. As he has not a sufficiency of men to work both ships and to persevere in the remainder part of his voyage, on his signifying his distress to me, and his intention of sending the <i>Naturaliste</i> to France with what he has collected, and to take only men sufficient to navigate her, I gave him permission to purchase a boat of about twenty tons, with which he means, on leaving this, to pass thro' Bass's Straits, and in some part of them he means to land for the purpose of observing the transit of Mercury. It is not till after this is completed that he dispatches the <i>Naturaliste</i> , in which ship I have procured a passage for Mr. J. Thompson, one of the assistant surgeons, and by whom I send my dispatches, together with Captain Flinders' letters. The bay Mons. Baudin saw on the Land of Lyons is quite open, they named Baye de <i>Geographe</i> ,‡ and is the only opening they saw, either at Mervyn's Cove or the Land of Endraght, except Shark Bay and Swan River. He as well as his officers describe the coasts on the S.W. and west sides as hardly accessible, from the number of small islands with which they are lined, and every appearance of sterility, which is verified by the drawings made of every part of the coast he has visited, which I have seen and are most accurately delineated. His collections in natural history are immense; he sends them all by the <i>Naturaliste</i> . Mr. Brown left six large boxes with specimens from the south coast, but with directions
and the <i>Lady Nelson</i> .	
The extent of the survey. The Fiji Islands.	
Le <i>Geographe</i> .	
The French survey.	
State of the French ships.	
The transit of Mercury.	
<i>Geographe</i> Bay.	
Swan River.	
The west coast of Australia.	

* A private letter. † See Governor King to Sir Joseph Banks, 5th June, 1802, ante, p. 782.

‡ This name has been retained in an anglicised form as *Geographe Bay*. The southern point of the bay is still known as Cape *Naturaliste*.

that they were not to be sent, but to be retained until the Investigator went Home. They are safe in my care. By my last I also sent you a copy of the discoveries made in the Straits as far as they could be ascertained. Four other ships and several small vessels have gone thro' since; nothing additional has been seen. There is a difference in the latitudes and longitudes of different observers which I shall detail to Mr. Dalrymple—I mean with respect to the exact situation of Wilson's Promontory. If Captain Flinders goes that way again he will exactly fix it. I am told King's Island is a very fine spot, abounding with seals, kangaroos, wombats, emus, &c., &c. Port Phillip is also a great acquisition; and as I have urged the fixing of a settlement at the latter place, I am anxious to begin it, but unfortunately I have no person I can send there equal to the charge. Policy certainly requires us having a settlement in these Straits.*

1802

2 Oct.

Bass Strait.

Wilson's
Promontory.

Port Phillip.

As our maritime surveying is now turned over to Captain Flinders, who has the Lady Nelson with him by the Adm'ty's directions, I had begun making discoveries into the interior by means of Ensign Barallier, who is the *protégé* of Mr. Greville. He has been one journey, and went about twenty miles from the first range of hills, till his further course was interrupted by a river running north, which is a curious circumstance, being in the mountains. He describes it as wide as the Thames at Kingston. Some native iron he also found, an imperfect limestone, and the dung of an unknown animal. Samples of everything he found will be sent by the Greenwich; and I did hope to have been able to add something further from another journey he was about undertaking, and for which purpose I had established a chain of depôts of provisions to prevent his return, but as Col. Paterson has thought proper (or I believe has been advised) to write me officially that Mr. Barallier's excursions were contrary to the Duke of York's instructions, I found myself obliged to give him up, and relinquish this highly desirable object for the present. I am concerned at it, as the young man has such ardour and perseverance that I judged much public benefit would have resulted to his credit and my satisfaction. However, so it is, and I must be content in my humiliation until I get an answer to my present despatches, in which I am forced to state the conduct of Colonel Paterson and some of his officers. You may recollect that when you mentioned the subject of Colonel Paterson being Lieut.-Governor, I would not take any step in the business until you knew my opinion on it; that I told you as long as he acted from his own ideas and principles he would do what was right and honorable; but unfortunately he has in a former instance been advised to oppose me by those who afterwards betrayed him. His present business is of nearly the same complexion, originating in resentment of my having sent away a ship with spirits without suffering any to be landed. As

Ensign
Barallier.

Extent of his
exploration.

His
discoveries.

His
excursions
contrary to
orders.

King's
regret.

Colonel
Paterson's
conduct.

Paterson's
vacillation.

* Ante, pp. 766, 782, 785.

1802	I have been obliged to enter into these details,* if you should be able to see them I must refer you to their information, otherwise I must resign myself to that direction from which I have a right to expect justice. Believe me, dear sir, that my situation here is not a very pleasant one; the obnoxious character of a reformer is not calculated to appear often on the theatre of this world. I have had the most flagrant and dishonorable abuses to do away, and I have succeeded, but at the expense of being hated by those whose interest has been hurt at these regulations without which the treasuries of Europe would not have answered the pressing demands of this colony (or rather of the vultures in it). In the path of duty and rectitude I shall invariably walk, and leave the rest to Providence and the wisdom of my superiors.
2 Oct.	
King's unenviable situation.	
Flagrant abuses.	
Monopolists.	
Caley's tour.	Caley is just gone on an excursion, and you will see by his letter that he is meditating a still longer one, as he keeps all his knowledge to himself. I am hopeful you are benefitted by it. He is certainly very assiduous of late, and I hope much good will result from his journey, which is undetermined and precarious. I informed you of the refusal he gave me and Mr. Brown to his going in the Investigator. I have sent ten boxes—i.e. all the Porpoises—with plants that have been established in them these twenty months. Mr. Brown said they were all new plants in England. There is also a quantity of different seeds secured in them. I propose sending them and what else I have to send by the Greenwich whaler belonging to Messrs. Enderbys, which will leave this about February next, or perhaps sooner, and as the master is very careful, I hope they will arrive safe.
Botanical collections.	
	November 13th.—As Mons. Baudin remained here till this day (how much longer will depend on the wind) to observe the transit of Mercury, in which the clouds frustrated them. I am able to add in continuation of this that conceiving it to be too great a sacrifice to the public interest to forego the useful services of Mr. Barrallier, and as I am allowed an aid-de-camp, I fixed on him, and had Colonel Paterson's permission for that purpose. I immediately detailed him on his exploring service.† I have just heard from him that he has fixed his depôts as far as sixty miles to the westward of the Nepean. I send you a copy of his letter to me, which I have this instant received, and if possible will send the intelligence that is collected by the people who are returned to Parramatta. The specimens of stones, &c., shall be forwarded to you by the Greenwich, as well as such other information as may be
Barrallier appointed aide-de-camp.	
His tour westward.	
Discoveries made.	

* The Governor evidently refers to his voluminous despatches to the Duke of Portland, of 25th September, 1801, ante, p. 524.

† King resorted to an amusing ruse to lend an appearance of military duty to Esau Barrallier's journey inland. Paterson had complained that Barrallier's absence was an infraction of the Commander-in-Chief's order respecting officers engaging in occupations other than military; so the Governor appointed him aide-de-camp, and sent him on an embassy to the "King of the Mountains."

communicated between this and her departure, which will be about **1802**
 February, before which time I hope he will make some more very **2 Oct.**
 important discoveries inland.

We have now got about 12,000 vines in the first and second **Viticulture.**
 year of growth. Thus far the plants are good, and if no accident
 happens by blight, there is a good appearance of having some
 grapes this year from our old vines, but they are very few.

I am going on with a new settlement which lies in the range of **Pennant**
Hills.
Hills. I have one hundred acres in
 grain, three hundred head of cattle, and two hundred sheep
 comfortably lodged. When I say I have, I speak as the public
 servant, for I have not a stick or stone private property in the
 colony. Our harvest will turn out tolerably abundant for the
 long drought we have had,—nearly four months without any rain.
 Now that a total stop is put to the infamous business of spirits
 we shall do well, and every man will soon feel the good effects of
 independent property, contrasted with beastly drunkenness and
 begging. We are building good houses, and I hope shall do well.
 I send you a small schedule of our present state for your private
 information, but as I hope and request you to get a sight of my
 present dispatches, they will give you every information. I also
 beg to introduce to you Mr. James Thompson. He is a very worthy
 man, and is one of the surgeons of eleven years standing in the
 colony. He has besides been magistrate and captain of militia, or
 rather of the Parramatta Association. To Mr. Thompson I beg to
 refer you for all our news. Cayley returned before Mr. Barrallier's
 departure. What he has done remains secret. He has desired me
 to send by Mr. Thompson a paper of seeds which I enclose with
 this, as also his notes. He keeps his horse. I beg my best respects
 to the ladies of your family. **Cessation of the spirit traffic, and increased prosperity.**
Surgeon Thomson.
Caley's collection.

I am, &c.,

PHILIP GIDLEY KING.

THE DUKE OF PORTLAND TO LORD HOBART.

My Lord, **Bulstrode, Sunday, 3rd October, 1802.** **3 Oct.**

I had the honor, on the 26th of August, to receive a letter
 from your Lordship, in which was enclosed the copy of a memorial
 to His Majesty from Captain Hunter, late Governor of New South
 Wales, upon which you desire me to communicate to you my
 sentiments*; I therefore have the honor to inform your Lordship
 that, to the best of my opinion and belief, Captain Hunter's
 statement of his services is perfectly correct. He was employed
 jointly with Adm'l Phillip in carrying into effect the measures
 adopted by His Majesty's Government, for the first establishment
The Duke of Portland's comments on Hunter's memorial.

* The letter here referred to will be found on p. 821, ante, and with it the memorial of Ex-Governor Hunter. Hunter was granted a pension of £300 per annum. Hobart to Addington, 13th October, 1802, post, p. 852; Addington to Hobart, 15th October, 1802, post, p. 854.

1802 of the settlement of New South Wales, and in the execution of that service he experienced great difficulties, and suffer'd very great distress. I have always, therefore, consider'd him intitled to be remunerated at the publick expense, and although not exactly to the same extent as Adm'l Phillip, I should have thought myself justified, had I continued to hold the Seals of the Home Department, in recommending an allowance of £300 p'r an'm at least, to be made to Capt'n Hunter, by an additional charge on the New South Wales estimates, in the same manner as that which was granted to Adm'l Phillip. Nor would this provision for Capt'n Hunter be now wanting, had I not had it in contemplation to appoint him to the Government of the Bermudas (a situation for which he was peculiarly qualified by his professional talents and experience), which my intended arrangements for removing Governor Beckwith to a superior Government would have enabled me to accomplish.

Intended
Governor of
Bermuda.

I have now shortly, but I hope distinctly, stated to your Lordship my intentions, as well as my sentiments, respecting Capt'n Hunter, and leave it to your better judgment to determine what is most proper to be done under the present circumstances.

I have, &c.,

PORTLAND.

BOTANY BAY IN 1802.*

A glowing
picture.

The policy of
transporta-
tion.

George
Barrington.

AN account recently had from that colony states it to be in a very progressive and prosperous condition. Cultivation is rapidly extending, good and well managed farms are familiar to the eye, the description of persons called settlers are greatly multiplied, and on every side may be seen numbers of convicts, transported under the worst circumstances of vice and depravity, become sober, industrious, and respectable farmers. Few considerations can be more pleasing to the benevolent mind than such a one as this, nor more advance in wisdom's estimation the Colonial policy. To the transported individuals themselves, expatriation ceases to be an evil. Their vices deprive them of one country; their repentant and corrected conduct gains them another; while a more remote, but more important consequence is, the population of an uninhabited, or the civilization of a barbarous, land, and bringing into a rude and remote region European arts, policy, and Christian illumination.

The celebrated Barrington has been deprived of his office of high constable, having given himself up latterly to excessive drinking. He is, however, very comfortably settled in the town of Paramatta, adjoining to which he possesses two farms; and in consideration of the services rendered to the colony by his official activity and reformation, the Government allows him £50 annually for life, and four servants free of wages.

* Reprinted from *Saunders's News Letter* of 8th October, 1802.

From the same source we learn that the harvest last year was very abundant in the settlement, and that considerable quantities of grain of fine quality were exported, thus opening to the cultivator the encouragements which commerce affords to industry. Indeed it must be confessed that every reasonable inducement is held out to produce reformation in the convict; for, added to the protection and encouragement which the well-conducted meet within the colony, each convict who on the expiration of his time returns to the mother country with a certificate from the Governor of his laudable behaviour, is, we understand, entitled to receive a penny per diem during the term of his transportation, together with a suit of clothes, so that a fund is thus accumulated to prevent the object of it from relapsing, through immediate necessity, into former habits of criminality. The prudent will not, however, draw on this fund, because they will not leave a country where they have formed a good character, to return to one where they lost it, and where the fears and suspicions of society will reject their pretensions to honesty, and, defeating the benefits of repentance, force them again upon acts obnoxious to the laws.

1802

8 Oct.

Incentives
to good
behaviour.Permanent
settlers.

GOVERNMENT AND GENERAL ORDER.

9th October, 1802.

9 Oct.

LIEUT.-COL'L PATERSON having stated that the duties hitherto performed by Ensign Barrallier and John Harris, Esq., surgeon of the New South Wales Corps, are contrary to his instructions from His Royal Highness the Commander-in-Chief, stating "Not being permitted on any account whatever to engage into the cultivation of farms or any other occupation that are to detach them from their military duty," His Excellency being anxious to pay every deference and obedience to Lt.-Col. Paterson's idea of that instruction, dispenses in future with the valuable assistance he has hitherto received from those officers with the Lt.-Colonel's entire approbation. The first is discharging the duties of Military Engineer and Artillery Officer, superintending the military defences, batteries, and cannon of this settlement, in addition to which he has most arduously and voluntarily executed the duties of civil engineer and surveyor to the advancement of the geography and the natural history of the territory.

Ensign
Barrallier
and Surgeon
Harris.Strict
adherence to
military
duty.King's
testimony to
Barrallier's
efficient
discharge of
duty.

The second, in having executed the office of Naval Officer and magistrate, both of which duties the Governor has a pride in testifying he has hitherto discharged in the most honorable and highly useful manner, to the benefit of His Majesty's service in general, the detection and punishment of vice and robberies, the preservation of the peace of this settlement, and largely increasing

A capable
officer.An efficient
magistrate.

The consequence of which this could not take place without much disadvantage to me, the Colonial pay not being equal to the emolument arising from my appointment had the Supply been in a state of service. Governor King not finding himself authorized to grant me more pay than vessels on the Colonial establishment, it was mutually agreed to refer this point to the Home Department, he assuring me it should not interfere with my promotion as a naval officer.

1808

11 Oct.

Grant's pay.

I was therefore appointed by the enclosed Commission from Gov'r King, and continued the service from the date thereof as directed until the date of the enclosed copy of a letter from him giving me permission to return to England. At my departure I received from Gov'r King the sum of fifty-two pounds ten shillings stg., which will shew (admitting the same to be the Colonial pay) that it is inadequate to the full pay of l'ts commanding armed vessels.

His receipts

Besides the loss I sustained by the difference between the Colonial pay and the pay I should have received as the commander of H.M. armed vessel the Supply, under the commission of the Hon'ble Commissioners of the Admiralty, I was under the necessity of paying seventy pounds sterling for my passage Home, which I trust will not be deemed more than such a passage requires, and which I was under the necessity of paying, as there was no ships then returning from the colony in which Governor King would order me a passage. Allow me, likewise, to observe that the Lady Nelson from her arrival in that country becoming under the cognizance of your Lordship's department for the colonies, I cannot receive my half-pay as lieut. in the Navy without your Lordship's representation to the Admiralty Board. I therefore humbly solicit your consideration of these points, and particularly with respect to the losses I have sustained, both on account of the inferior rate of pay I received while attached to the Lady Nelson in the colony, and the money I was obliged to pay out of my own property for my passage Home.

and expenditure.

His losses.

Trusting, my Lord, that the success of the Lady Nelson will meet your Lordship's approbation so far as is relative to discovery. I should feel myself highly honored in laying before you, when convenient, my chart and different drawings from New Holland, and referring you for further information (should your Lordship approve) to John King, Esq., Under-Secretary of State, through whom I received my orders from His Grace the Duke of Portland.

His charts and drawings.

I have, &c.,

JAS. GRANT,

L't, Royal Navy.

1802

GOVERNMENT AND GENERAL ORDER.

11 Oct.

11th October, 1802.

Composition
of a Court-
Martial.Captain
Kemp
exempted.

THE Governor requests the Commanding Officer of the New South Wales Corps will furnish him with the names of all the officers that the detail of the regiment will enable to sit on the General Court-Martial appointed for to-morrow, excepting Capt'n Anthony Fenn Kemp, who, being so deeply implicated and concerned in the result and event of the pending trials, becomes ineligible to sit as a member of the said General Court-Martial. During the trials the Governor dispenses with the officer of the guard's attendance at the guard-house, which will furnish another officer for the Court-Martial.

The
magistrates.

The present acting Justices of the Peace for this territory are: His Honor the Lieutenant-Governor, the Judge-Advocate, the Rev. Sam. Marsden, and T. Arndell, C. Grimes, and J. Jamison, Esquires, to whom alone all references are to be made as magistrates.

 PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

12 Oct.

12th October, 1802.

THE General Court-Martial ordered for to-day is postponed until to-morrow morning, after guard meeting.

Emancipists
as Gover-
nor's guard.

His Excellency is pleased to grant a provisional conditional emancipation to five prisoners of good character, who are to be mounted and serve as a body-guard to the Governor.

 PHILIP GIDLEY KING.

LORD HOBART TO THE RIGHT HON. HENRY ADDINGTON.

13 Oct.

Sir,

Downing-street, 13th October, 1802.

Hunter's
memorial.

Captain Hunter having transmitted to me a memorial, praying that His Majesty would be graciously pleased to bestow upon him some mark of his royal favour, in consideration of his public services, particularly during the period he held the appointment of Governor of the settlement of New South Wales, I thought it right to request the opinion of the Duke of Portland how far Captain Hunter's services, under His Grace's directions as Secretary of State for the Home Department, entitled him to the reward he solicited.

Duke of
Portland's
approval.

I have the honor to enclose copies of Captain Hunter's memorial and of my letter to the Duke of Portland, with His Grace's reply.* By the latter you will perceive the favorable sentiments entertained by His Grace with respect to Captain Hunter; and as it would not, in my opinion, be for the advantage of His Majesty's service

 * Ante, pp. 821, 847, and post, p. 854.

he should be appointed to a civil government, I beg to submit 1802
 1 the expediency of receiving His Majesty's pleasure for 13 Oct.
 ng to that officer a pension in conformity with the opinion Pension
 race has expressed. I have, &c., grant.

HOBART.

GOVERNMENT AND GENERAL ORDER.

14th October, 1802. 14 Oct.

Excellency has been pleased to appoint Mr. George Bridges Lieutenant
 is,* by a Colonial commission, to be a Lieut't of Artillery and Bellasis.
 k as such in this colony, being charged with the inspection
 irection of batteries and cannon in this settlement, and also
 mmandant of the Governor's body-guard of cavalry.

any person whatever is detected throwing any filth into the The Tank
 n of fresh-water, cleaning fish, washing, erecting pig-styes near Stream.
 taking water up but at the tanks, on conviction before a
 trate, their houses will be taken down and forfeit £5 for
 offence to the Orphan Fund ; and, if a prisoner on or off the Penalty for
 they shall be punished by imprisonment and hard labour for pollution.
 e months. Every person, civil and military, and all others,
 quired to detect and bring forward offenders against this
 after the 17th instant.

ober 16th.—A supply of flour being arrived in the Alexander, The ration
 ommissary is directed to issue a full ration of grain, consist- of flour.
) lb. of wheat in lieu of 8 lb. of flour, and 3 lb. of maize in
 f three pints of pease, to all males, per week ; women and
 en in proportion. Notwithstanding a report, asserted and
 ted, that it was the Governor's intention not to take any
 grain into the stores after the arrival of the flour expected Receipt of
 England, he takes this opportunity of saying, that the stores grain into
 d will remain open for that purpose, and he hopes the pre- the stores.
 s of stock, for certain exertions of the settlers in cultivation, Maize and
 ill induce every one of them to do their utmost in raising as live stock.
 grain and stock as possible.

lliam Neate Chapman, Esq., is appointed Naval Officer, in Chapman
 om of John Harris, Esq., whom the Governor has appointed appointed
 er of all fees, fines, quit rents, assessments, &c., with Lieut- Naval
 el Paterson's permission. Officer.

ober 13th.—His Excellency the Governor, has appointed
 Charles Throsby (doing the duty of Mr. James Thompson, Throsby
 Surgeon, in his absence), the medical duty at Castle Hill, and appointed
 as a magistrate of this territory. magistrate.

PHILIP GIDLEY KING.

tenant Bellasis was transported from India for having killed a fellow officer in a
 le was pardoned in November, 1803.

1802

THE RIGHT HON. HENRY ADDINGTON TO LORD HOBART.

My Lord,

Downing-street, 15th October, 1802.

15 Oct.

Hunter to
receive a
pension of
£300 a year.

I have been honor'd with your Lordship's letter of ye 13th inst., and having perused Captain Hunter's memorial, and your correspondence with the Duke of Portland on the subject of it, I am induced to think that you will be fully justified in advising His Majesty to grant to Captain Hunter, in the manner suggested by His Grace, a pension of £300 p'r ann'm.

I have, &c.,

HENRY ADDINGTON.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

17 Oct.

Sir,

Sydney, 17th October, 1802.

Confirma-
tion of
Barrallier's
appoint-
ment.

As the service and the commission I have the honor to hold requires that I should have the assistance of an aid-de-camp, and as Ensign Barrallier's knowledge and abilities points him out as an officer in whom I can place a confidence, I have to request your concurrence to my appointing him to that duty, agreeable to the instructions you have received from His Royal Highness the Commander-in-Chief, of March, 1799.

I have, &c.,

PHILIP GIDLEY KING.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 17th October, 1802.

The
Governor's
aide-de-
camp.

I can have no objection to Ensign Barrallier acting as your aid-de-camp; but if he is entirely struck off the duty of the regiment, and two subalterns detached from head-quarters, the duty of the few that remain will come often. Ensign Barrallier was first for detachment, and having returned to his duty in the regiment, he was put in orders. Anything your Excellency wishes shall be readily complied with.

I have, &c.,

WM. PATERSON.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 17th October, 1802.

Ensign
Barrallier as
aide-de-
camp.

Not being able exactly to comprehend your note, I have to request being favoured with your answer whether I have your previous consent to Ensign Barrallier's being my aid-de-camp, agreeable to your instructions. Whenever the number of officers in this garrison cannot afford two nights in bed, I shall instantly dispense with his services or for General Courts-Martial.

I have, &c.,

PHILIP GIDLEY KING.

ROBERT BROWN TO SIR JOSEPH BANKS.

1802

H.M.S. Investigator, at sea, coast of N.S. Wales,

17 Oct.

Dear Sir, near the Cumberland Isles, 17th Oct'r, 1802.

The Investi-
gator's
voyage.

I have just learn'd from Cap'n Flinders that it is determin'd to send the Lady Nelson back to Port Jackson, and that she will proceed on her voyage to-morrow morning. I cannot neglect the opportunity this affords of writing you, tho' the very limited time will not permit me to enter into a particular account of our proceedings since our departure from Port Jackson.

I shall only observe that we have anchor'd in several bays or ports of the east coast. Of these I subjoin a list, referring to Cap'n Flinders' letters for an exact account of their situation, &c. :—

Places
visited.

1. Sandy Cape.*
2. Port I in chart.†
3. Keppel Bay, which was found to communicate with Port I.
4. Port II.‡
5. Shoalwater Bay, and in the passage into it within Cape Townsend.
6. Thirsty Sound, at its outer and inner entrance.
7. Broad Sound, in various places.
8. Under one of the Northumberland Isles.
9. Under one of the Cumberland Isles.

In most of these places I have had excellent opportunities of collecting had the season been more favourable. A very considerable proportion of the plants observ'd, however, were destitute of both flower and fruit.

Botanical
collection.

The number of species of plants found in a state admitting of their examination, either with flower or fruit, does not exceed 450, including grasses but exclusive of cryptogamic plants, which as usual are far from numerous. A very small proportion are new, most of them having been discovered by yourself.

Few new
discoveries.

In zoology our acquisitions are by no means great, and altho' the mineralogy of the east coast is more varied than that of the south, yet I have not been able to observe anything in this department either very curious or important.

Zoology and
mineralogy.

In a former letter I took the liberty of requesting you to send a supply of 8 reams of Imperial brown paper, which I find by far the best for every purpose. My present stock of paper will, I am afraid, be nearly if not altogether expended during the present

Supply of
paper
required.

* The Investigator was anchored under Breaksea Spit, about 9 miles N.N.E. from Sandy Cape, on the afternoon of Wednesday, 28th July, 1802. The anchor was hoisted on the following morning, and after cruising about in the locality of the Spit, the vessel was anchored on the morning of the 31st July, 1802, close to the N.W. shore of the Cape, and the scientists were landed to prosecute their investigations.

† Port Curtis; so named by Flinders, in honor of Sir Roger Curtis, who commanded the squadron stationed at the Cape of Good Hope.

‡ Port Bowen; named by Flinders in honor of Captain James Bowen, of the Royal Navy.

1802
17 Oct. cruise, and I can hardly expect a supply on my return to Port Jackson where this necessary article is not to be had in any form.
Pray have the goodness to remember me to Mr. Greville, Messrs. Dryander, Correa, and Dickson. ROBT BROWN.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

17th October, 1802.

Due respect
not paid to
King. GOVERNOR KING acquaints L't.-Col. Paterson that, in passing the guard to-day, he does not conceive he has received the honor due to the commission he has the honor to hold, the King's Captain-General.
I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

17th October, 1802.

Paterson
and
Johnston.

IN obedience to His Majesty's commands, signified by the Principal Secretary of State for the Colonies to His Excellency the Commander-in-Chief, containing the following paragraph :—"You are to state to Major Johnston the reasons for his not being brought to a Court-Martial, as also His Majesty's pleasure that he should be released from his arrest and return to his duty";—in consequence of which Major Johnston is released from his arrest, and is to return to his duty. The Commander-in-Chief judges it necessary to observe that the most honourable reconciliation has taken place between Lieutenant-Colonel Paterson and Major Johnston, in his presence.

Another officer being added to the New South Wales Corps, Lieutenant-Colonel Paterson will direct a second subaltern to take post at Parramatta.

The Service requiring a subaltern to be ready to take post at the battery at George's Head as early as a barrack can be erected for him, unless an exigency should require it sooner.

PHILIP GIDLEY KING.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

18 Oct.

Sir,

Sydney, 18th October, 1802.

The guard's
disrespectful
behaviour to
King.

I have received your note of yesterday by Mr. Barrallier, wherein your Excellency observes that you did not receive (in passing the guard) the honour due to the commission you hold as the King's Captain-General.

Ensign
Bayly's
error.

On enquiry I found that Ensign Bayly had committed an irregularity by allowing the drummers to beat two ruffles instead of one, which has been the custom in paying the compliment to former Governors, as well as what I conceive to be the rules of the service.

Written
instructions
necessary.

Any military honours your Excellency may wish shall be attended to; but in case I should deviate from my duty as a

military officer, I must request that your Excellency will give me your written instructions, to prevent any censure that may otherwise fall upon me. 1802
18 Oct.

I should have done myself the honour of waiting upon your Excellency in person to have explained this business, but am confined by illness to my bed. Paterson's indisposition.

I have, &c.,

W. PATERSON.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 18th October, 1802.

In answer to yours, I beg to observe that I require no personal compliment but the public respect due to the commission I have the honour to hold. Respect to the Governor.

The compliment due to a Captain-General bearing a commission as such (according to the military authority I am possessed of) is presented arms, officers saluting, and a march. Salute to a Captain-General.

That authority may be wrong. I therefore, sir, request that the compliment due to the commission I have the honour to hold may not in the smallest instance exceed or fall short of it, as the first is the reverse of a compliment and the last a neglect. not to be exceeded or diminished.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

18th October, 1802.

ENSIGN FRANCIS BARRALLIER, of the New South Wales Corps (with Lieut.-Col'l Paterson's previous consent), to be aid-de-camp to the Commander-in-Chief. Aide-de-camp Barrallier.

19th October.—The bell for the people leaving work is not to be rung till three o'clock in the afternoon until further orders.* Hours of labour.

Several convicts having absented themselves from Government labour, notice is hereby given that if they do not repair to the respective settlements at which they were employed, and appear at their work on or before Monday next, the 25th instant, every person who may be absent after that date will, when apprehended, be punished with 500 lashes, and kept in double-irons in the gaol gang during the remainder of their terms of transportation. Absentee convicts. 500 lashes.

W. N. CHAPMAN,

Secretary.

COMMANDER FLINDERS TO GOVERNOR KING.

His Majesty's Sloop Investigator,

Sir, Off the Cumberland Isles, 18th October, 1802.

Although I am persuaded that it will give your Excellency pleasure to be informed that I have thus far been able to fulfill the orders intrusted to my execution, in having explored the coast of New South Wales and the isles lying off it from Hervey's Bay to Broad Sound, with minuteness, and I hope accuracy, and The Investigator's cruise.

- 1803
18 Oct.
Captain Cook's survey.
The Lady Nelson.
- consequently have made some discoveries which the hasty manner in which the great Captain Cook passed did not permit him to make; yet it is of much concern to me that the danger attending the latter part of this navigation could not be surmounted without such a loss of anchors to both vessels, and of other damage to the Lady Nelson, that I judge it to be most for the advantage of the service in which we are engaged, that she should return to Port Jackson.
- The keel lost.
- Rendered incapable of beating.
- The loss of her main keel, which happened when absent from the Investigator, and the damage done to the trunk, rendering it unfit to receive another which I got made for it, has so much reduced her former capacity of beating to windward, which then was not great, that it is become imprudent to send her into any situation where her safety at all depends upon beating, and this has been since further increased by the loss of part of the after-keel, and it appears to me, as well as to the commander of her, that (to use his expression) the keels are the life and soul of the vessel.
- Anchors lost and broken.
- Deficiency in stores.
- The Investigator's anchors.
- Of the three anchors with which the brig was supplied one is now lost and a second broken; and her two cables are both reduced by cutting off bad parts, and are otherwise chafed. Other deficiencies of stores, which the brig now has, and which will encrease very fast, could be supplied by the Investigator, but the loss of three anchors, which has already happened to the ship, renders me unable to replace those lost by the brig without distressing ourselves, since I should have neither a stream or a kedge anchor left on board wherewith to save the bowers, or to heave the ship off from any shoal or reef upon which she may probably get.
- The position disclaimed.
- On consulting with the first lieutenant of the Investigator and the commander of the Lady Nelson it appeared that the advantages to the Investigator arising from the attendance of the brig would balance against the disadvantages, as follows :—
- The Lady Nelson as a tender.
1. The Lady Nelson might keep ahead of the ship and give notice of danger, and probably save the ship from getting into it.
 2. She would be useful to explore rivers and bays whilst the ship remained safely at anchor, and also places where it would be unsafe to send the ship.
 3. The brig might be of the greatest service in saving the people on board the Investigator in case of a fatal accident happening to her.
- The disadvantages of the Lady Nelson.
- These were the whole sum of advantages that could be performed by her in her best state; and on the other hand there were the following drawbacks and disadvantages :—
- Slow progress.
1. For the brig to keep ahead the Investigator must generally keep under very easy sail, which would frequently occasion much loss of time, especially in the run from hence to Carpentaria, which

the expected monsoon requires should be performed as expeditiously as a due regard to safety will permit. Within the reefs, where the greatest danger is to be apprehended, we have generally found a boat to be of equal, and frequently of greater, service in this respect than the *Lady Nelson*.

1803

18 Oct.

Boats of greater utility.

2. There now remains but little prospect of any large rivers in New Holland, the whole south coast and the most likely places upon the east being already explored by us ; but, nevertheless, the brig might be very useful to us in this second point of view.

The survey of the south and east coasts.

3. In case of the loss of the *Investigator* it is undoubtedly of much consequence to have a second vessel, but in the present state of the brig the probabilities are that the ship will rather have to save the people of the *Lady Nelson* ; and this brings me to another object of some consideration : should the brig be lost, she cannot certainly be of any further service to us ; but if she gets safe to Port Jackson she may be of the greatest use in a future expedition when her damages are repaired and wants supplied.

The situation reversed.

Future employment of the *Lady Nelson*.

4. For the brig to perform any part of what is above mentioned, it is necessary that she be supplied with at least one of the only two small anchors in the ship ; and she will soon be in equal want of the only hawser which I have, to replace a worn stream cable with, or of which lower rigging can be made ; she will also have occasion for much rope and other small stores, and for three or four months' provisions.

Her inadequate equipment.

Was I so desirous to keep her, bad as she is, as to distress the *Investigator* in order to supply her wants, yet another loss equal to what she has sustained in this early part of the voyage would oblige her to run for the nearest port, in which case the *Investigator* would have been distressed to little purpose ; and experience has already shewn me that we are liable to part company.

Liable to part company.

Upon mature deliberation of the above circumstances, I have given Lieutenant Murray orders to return ; and as the *Lady Nelson* can spare her launch without inconvenience, I have kept it, until our arrival at Port Jackson, to replace a six-oared cutter which the great rapidity of the tide in a passage between Island Head and Cape Townsend deprived us of, but fortunately without the loss of any man.

The *Lady Nelson* to return.

I kept the brig until a passage out to sea could be found clear of the reefs, and this appearing now to be the case I intend going into the Gulph of Carpentaria with all expedition, leaving the remainder of this coast, and what will be missed in Torres' Strait, for the time when the *Lady Nelson* will be fit to accompany me ; and I hope to have the east side of the gulph explored before the N.W. monsoon comes in upon us.

A passage through the reefs.

The Gulf of Carpentaria.

1802

18 Oct.

I enclose to your Excellency an abstract of what is already done, and such parts of it as you may judge material will no doubt be transmitted to the Admiralty for the information of my Lords Commissioners.

The crew in
good health.

I have the pleasure to add that the Investigator's ship's company are in good health and spirits, and that

I have, &c.,

MATTW. FLINDERS.

[Enclosure.]

*Abstract of the Investigator's proceedings since leaving Port Jackson,
20th July, 1802.*

The Three
Brothers.

1. A close examination of the coast from the Three Brothers to latitude 30° 26' S.

Cape Byron-
Hervey's
Bay.

2. Ditto from Shoal Bay to Cape Byron.

3. Ditto from latitude 26° 11' S. to Hervey's Bay.

Cook's
survey.

These were performed during the run, with very little loss of time, and are principally what Captain Cook passed in the night and what I had not seen in the Norfolk sloop. A shoal opening in Wide Bay, some rocks lying four or five miles to the N.E. of Cape Moreton and that Break-sea Spit, consists of many sands and reefs, between which are some small passages of two fathoms, are the principal differences I noticed, besides several deviations in the coast-line.

Correcting
charts.

4. Between Hervey's Bay and Cape Palmerston some discoveries were made, the deficiencies in former charts filled up, and some few errors corrected. The breadth of Hervey's Bay is 16' less than in Captain Cook's chart, and this difference of longitude goes on increasing from thence to this place, where it is 45 miles. The time-keepers, as well as more than seventy-four sets of lunar observations on different parts of the coast, all coincide in giving this quantity to the eastward. Whether I shall find 50' of difference to the east of Cape York, as was the case with Captain Bligh, I am anxious to ascertain.

Cape
Capricorn.

5. A port is discovered whose entrance is in latitude 23° 53' So., and it has another entrance in 23° 44' So., but this last is inaccessible to ships. The head of this port communicates with Keppel Bay by a boat-passage, and, consequently, insulates Cape Capricorn. The port affords wood and water, but there are shoals in the entrance.

Keppel Bay.

6. Keppel Bay is examined, and found to afford shelter, wood, and, at this time, water. The bay branches out into five arms, and has many shoals and banks in it. The tide rises 12 feet here.

Pine trees.

7. Some corrections and additions are made to the coast from Keppel Bay to the latitude of 22° 29', where is situated an island upon which grows the Norfolk Island pine. This is in the entrance of the 2nd discovered port; and here, at a place to the west of the island, we watered the vessels. This port is valuable on account of the pines, some of which are fit for topmasts.

8. Hervey's Isles are now laid down more accurately than heretofore.

The tides.

9. The vessels passed into Shoal-water Bay between Cape Townsend and Island Head, but the passage is unsafe. The bay is examined, and found to extend S.E.ward to 22° 40' So. There are many shoals and isles in the bay, but no fresh-water streams come into it. The rise of the spring-tide is about 18 feet in this bay.

Lohg Island.

10. Another passage, but an unsafe one, is found into Thirsty Sound, dividing Long Island into two parts. The south end of the island is in 22° 16' So.

Broad
Sound.

11. Broad Sound is examined, and found to extend in a S.E. direction to latitude 22° 40'. It is almost wholly occupied by shoals for the last 26

miles, and the banks are so low and thickly covered by mangroves that it is scarcely possible to land. The rise of the neap-tide here is about 20, and of the spring-tide 30 feet. No accessible fresh water was found in it or upon Long Island. 1802 .
18 Oct.

12. Many additions and some corrections are made to the Northumberland Isles. The principal of the former is the largest island of a cluster in latitude 21° 39', and N.N.E. from Peer Head. At the west side of this island we found good shelter, pines convenient for procuring, and, at the side, a curious little basin, fresh water in sufficient abundance to fill up both vessels. A good anchorage.

13. The reefs laid down in my chart of 1800 I find to extend as far as the Cumberland Isles without any safe passage through them, but abreast of the isles the reefs appear to end. I say appear, for, although we are as far to the north as the northernmost island, and 40 miles to the east of it, and have a clear sea, yet it is possible that reefs may be met with to the N.E.ward. The Barrier Reef.

14. The addition of several islands is made to the Cumberland Isles, but this cluster is not yet examined.

15. Friendly intercourse was obtained with the natives at Hervey's Bay, Keppel Bay, and Shoal-water Bay. Friendly natives.

MATTW. FLINDERS.

GOVERNMENT AND GENERAL ORDERS.

22nd October, 1802.

22 Oct.

THE Commander-in-Chief is instructed not to dispense with the Loyal Associations; but, as there is no necessity for keeping them embodied constantly, they are to be exercised during one month in every year, unless their services should be called forth on any particular emergency, in consequence of which the following regulations are made respecting the officers, viz. :—William Balmain, Esq., to be captain commandant of the Sydney and Parramatta Associations; Thomas Rowley, Esq., captain of the Sydney Company; and Thomas Smyth, Esq., Provost-Marshal, lieutenant; James Thompson, Esq., captain of the Parramatta Company; D'Arcy Wentworth, Esq., lieutenant, and Mr. John Jamison, lieutenant.* The Loyal Associations.
The officers.

The muster-rolls are to continue the same as when delivered to the Governor by Captain Balmain, unless any exceptions may have since become necessary. No change to be made.

Captain Rowley and Mr. Wentworth will receive lists of those who are now to be enrolled. They will receive the cloathing and arms sent for that purpose by Government on Monday, the 25th instant. The conditions on which they are re-enrolled will be previously made known to them. Uniform and arms.

Captain Rowley is directed to have the inspection and care of the barracks appropriated to the civil and military. Inspector of barracks.

The following regulations are to be made respecting those hitherto victualled from the public stores, viz. :—The wives, children, and female servants of the commissioned officers of the civil department are to be struck off the stores; not more than Store regulations.

* This order is in effect a revocation of that of the 27th July, 1801—ante, p. 444. See also King's letter to the Duke of Portland, ante, p. 463.

1802	five women (who never have been convicts), wives of officers or soldiers, are to be victualled at the public expence for each company of the New South Wales Corps.
22 Oct.	—
Convict servants victualled.	The following limitation of servants victualled by the Crown is to take place to-morrow:—To the Governor, 10 domestic servants; to the Lieutenant-Governor, five ditto; to commissioned civil officers living in barracks, two ditto; to commanding officer of troops, three ditto; to captains living in barracks, two ditto; to subalterns living in barracks, one ditto.
The ration of sugar.	The civil and military from this date are entitled to have their arrears of sugar made good when any can be purchased.
The military ration.	As the measures taken by Government to supply a full ration, and as the Governor is pointedly instructed to issue a full ration to the troops and convicts as long as the stores will allow of it, which lays the Governor under the necessity of conforming to the King's warrant of the 25th May, 1797, with regard to the full military ration, whereby a stoppage is made of 3d. per diem from each private and 3d. from each non-commissioned officer; but whilst he has received the most pointed instructions respecting the distribution of the rations and keeping the troops at a full allowance, yet he has received no official directions respecting the stoppages; it therefore remains with the Commanding Officer to determine whether the regiment should receive the full rations, subject to the stoppages, as prescribed by the King's warrant as above, or whether the Treasury ration for the settlement at large should be continued until orders are received on that head.
Issue and stoppage.	The Commanding Officer of the New South Wales Corps will inform the Governor of the names of the five women and their children for each company whom he wishes to have victualled: also a list of the servants that the officers of the military department wish to retain, agreeable to the above Orders, for the purpose of supplying their barracks with wood, &c., also the names of the officers ordered for the relief at Norfolk Island, that arrangements may be made for their conveyance and the return of those now stationed there.
The general ration.	
Victualling soldiers' families.	
The Norfolk Island detachment.	

PHILIP GIDLEY KING.

GOVERNOR KING TO COMMISSARY PALMER.

23 Oct.

23rd October, 1802.

Soldiers' rations.

WHEREAS it is necessary, in consequence of the instructions you have received from the Lords Commissioners of His Majesty's Treasury, that the troops on this service should have a full ration of provisions, as long as the stores will admit thereof, you are hereby required and directed to deliver to the quarter-master of the New South Wales Corps, a sufficient quantity of provisions weekly, to issue the following rations to the non-commissioned officers and privates in conformity to the regulations on that head

and agreeable to the General Orders of this day, i.e., 10½ lb. of flour or 13 lb. of wheat, and 10½ lb. of beef or 4 lb. 6 oz. of pork, to each man per week. 1802

And as it is necessary that you should transmit a correct account of the rations so issued, you are to observe the following regulations on this behalf, viz :—

To require the quartermaster to deliver you a monthly list of the military for rations, distinguishing officers at Treasury and non-commissioned officers and privates at military ration, signed by the quartermaster and approved by the Commanding Officer. 23 Oct. Amount to be issued. Ration regulations. Mode of issue.

Any alterations that may be necessary to be made weekly, to be signified by the quartermaster in writing to you, signed and approved of as above.

The monthly list to be delivered to you on the 24th of each month, and the weekly alterations on Thursday mornings.

The monthly lists to be inspected and signed by the Commanding Officer, quartermaster, and yourself, previous to the 31st December annually, when they are to be made up for the twelve months, and sent, with a statement of the numbers victualled for the year, to the Secretaries of the Treasury and Auditors of Public Accounts, delivering me a copy of the same. Against each non-commissioned officer's, &c., and private's name contained in the lists, you will set off the amount of their year's deduction, as pointed out by the following paragraph of His Majesty's warrant, bearing date the 6th February, 1799, viz :—

"And it is our will and pleasure that there shall be taken a deduction of 3½d. a day, from the full pay of each sergeant, corporal, trumpeter, drummer, fifer, and private man of our said Corps, when stationed in Jamaica, in New South Wales, at Gibraltar," &c. The deduction for rations.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

24th October, 1802. 24 Oct.

THE following regulations are to be carried into execution for the clearer conducting the issue of the military rations, and accounting for the deductions :—

The quarter-master to deliver to the Commissary a monthly list of the military for rations, distinguishing officers at Treasury, and non-commissioned officers and privates at military ration, signed by the quarter-master and approved by the Commanding Officer. Military rations. Monthly returns.

Any alterations that may be necessary to be made weekly to be signified by the quarter-master in writing to the Commissary, signed and approved as above. The monthly list to be delivered to the Commissary on the 24th of each month, and the weekly alterations on Thursday mornings. The monthly lists to be inspected and signed by the Commanding Officer, quarter-master, and Commissary, previous to the 31st December annually, when they

- 1802** are to be made up for the twelve months, and sent with a statement of the numbers victualled for the year to the Secretaries of the Treasury and Auditors of Public Accounts.
- 24 Oct.** The annual deduction. Against each non-commissioned officer and private's name contained in the lists, the Commissary will set off the amount of their year's deduction, as pointed out by His Majesty's warrant, bearing date the 6th of February, 1799
- Issuing rations to the soldiers. The quarter-master will draw the full proportion of rations under issue from the Commissary between daylight and eight o'clock on Monday mornings, and issue it agreeable to the directions he may receive from the Commanding Officer, taking care to return the empty casks to the Commissary immediately after the weekly issue.
- The Inspector of Barracks. The Commander-in-Chief having judged it necessary to appoint Captain Thomas Rowley, late of the New South Wales Corps and now of the Loyal Sydney Association, to have the inspection and direction of the barracks, the Commanding Officer is requested to direct the quarter-master to give Captain Rowley an account of the different articles of barrack furniture, &c., now in the different barracks at Sydney and Parramatta, and to conform to the regulations on that behalf.
- The Norfolk Island service. His Majesty's ship *Buffalo* being destined for a particular service when she is cleared of her cargo, and it being impossible to hire any transports to carry the relief to Norfolk Island, that service will be performed by the *Francis* and *Cumberland*, Colonial vessels.
- As the officers' tour of duty now at Norfolk Island is nearly expired, Lieut.-Colonel Paterson will order a captain, and such other officers as he may judge necessary, to embark on Saturday next, on board the *Francis*, with that relief.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

- 25 Oct.** 25th October, 1802.
- Inter-national courtesies. THE commanders of His Majesty's ships are instructed that whenever the colours are hoisted on any public day or other occasion, if any English or foreign vessel neglect paying the usual compliment, that they require them to hoist their colours, and in case of a non-compliance, to inform the Governor, Lieut.-Governor, or officer in command at Sydney thereof, who will order all intercourse to cease with those vessels.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDERS.

- 28 Oct.** 28th October, 1802.
- A mythical settlement. THE Governor has for some time been informed of a report, as wicked as it is false, and calculated to bring the believers of it to destruction, that a settlement of white people exists on the other side of the mountains, &c., and that several of the prisoners were so far deluded as to concert means for reaching that settlement, in

simile King to Paterson]

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1802

28 Oct.

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Issuing
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the soldier

The
Inspector
barracks.

The Norfolk
Island
Survey.

25 Oct.
Inter-
national
courses.ca.

A mythical

I have nothing to say
I am
Your most obedt
M. F. W.
—

consequence of which, several have lately absconded from their labour, nine of whom have been apprehended, and on the examination before the magistrates, it appeared that some of them, instead of taking the course to the mountains, had gone to the sea-side, others had reached near the Nepean, whilst those less instructed than the latter, had wandered about near the place they had left, after being absent ten days, most of them nearly starved, and living on grass for five days out of the ten.

1809

28 Oct.

Absconders.

A dangerous journey.

Exclusive of former unhappy examples, the fate which befell those who took the Norfolk, the dismal end of the unfortunate lime-burners, who were killed by the natives on landing a few miles from hence, and the folly of the late land adventurers, joined to the punishment they have already received in being nearly starved, and the corporal punishment awarded by the magistrates as an example, it is hoped that what has occurred to those ignorant and infatuated people may have its effect upon others, and prevent such schemes, as wild as they prove unsuccessful and destructive to those concerned in them.

Fate of escapees.

A warning to others.

A few simple and ill-informed people have been led into these ridiculous plans, the consequences of which have been that those among them who pretended to a greater share of wisdom than the rest have sacrificed the others by forcing them ashore, where they have been destroyed by the natives, and a part of them executed for piracy; nor is there a doubt that if the present adventurers could have reached the foot of the mountains, they must have languished and died for want of food before they could have got a mile into them.

Credulous convicts.

An ill-advised adventure.

Let those who are invited to such mad and inconsiderate undertakings reflect upon these things, and they will easily discover the risque attending such ill-judged enterprises.

If the passage boats carry any prisoner or other person who is not a settler to or from Sydney or Parramatta, without a pass signed by the magistrate, the proprietor will, on conviction, forfeit his boat to the public use.

Pass necessary from Sydney to Parramatta.

William Warring having refused his boat to the constables to assist in taking some runaways, it is to be understood that any person refusing assistance required by the police will be amenable to the law provided on that behalf.

Assistance to the police.

It is known that many settlers have been in the habit of employing those who have left Government labour. Settlers or other person employing any prisoner without seeing his certificate, will incur the penalty pointed out by former Orders, and the prisoners who leave their work will not escape their part of the punishment.

Unauthorised convict labour.

- 1802** The settlers are required to stop any prisoners going through their ground and demand their pass, and if they are not possessed of one to secure and send them to the nearest settlement, and for the more effectual preservation of their property they are required to be assisting each other in apprehending all stragglers who cannot give a good account of themselves.
- 28 Oct.**
Convicts' passes. The officers in command at the different settlements will lose no time in informing each other of any prisoners absconding, that an immediate search may be made for them.
- Escapes.**
- Hours of labour.** The hours for public labour until further orders are as follows: from sunrise to 8 in the morning, from 9 till 3 in the afternoon; Saturdays from sunrise to 8 in the morning. Tasks in proportion to the hours for labour.
- Certificates.** Certificates will be renewed and issued to those who have the Governor's leave to be off the stores, as well as to those whose terms of transportation are expired, on Thursday, the 11th of November; those in the districts of Parramatta, to attend at the Court-house there; those at Hawkesbury, at the Green Hills; and those at Sydney, at the Secretary's office. Those who do not appear will be ordered to Government labour. People belonging to boats will leave their names and last certificates with their employers.
- Registering boats.**

____ PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

- 30 Oct.** My Lord, 30th October, 1802.
- Arrival of transports.** 1. By the arrivals as per margin* I had the honor of receiving your Lordship's despatches and enclosures dated 30th last January.†
- Despatches to the Duke of Portland.** 2. By Lieut't McKellar and the Speedy, south whaler, I had the honor of transmitting to the address of His Grace the Duke of Portland my despatches, dated as per margin,‡ together with the accompanying duplicates; and as they contain every information respecting the state of this colony at those periods, I have to request your Lordship's general and particular reference thereto. As this will contain the purport of my letters by the Arthur, Coromandel, and Hercules, I shall not trouble your Lordship with these duplicates.
3. I beg to express the dutiful respect with which I received your communication that I might expect by an early opportunity

* Coromandel, 13th June; Hercules, 20th June; Atlas, 6th July.

† Ante, p. 683. There is only one despatch.

‡ See the letters dated 1st March, 1802 (ante, p. 712), and 29th March, 1802 (ante, p. 734).

His Majesty's commission naming me his Governor and Commander-in-Chief of this colony. To abide and regulate my conduct in this important trust by those instructions will be my study, and I trust that when the distance of this colony from His Majesty's Ministers, and the time is considered before answers to my communications can be received, any deviation from the general tenor of those instructions, as well as such prompt measures which circumstances and the local situation of this colony and its inhabitants may render necessary will be considered, as I shall feel it my duty at all times, and on all occasions, to deviate as little as possible therefrom; and when circumstances require such a deviation, I shall not fail to assign my reasons, which, I humbly trust, will receive your Lordship's approbation, or that I may be informed wherein it may appear I have erred, which I respectfully hope (if such cases should occur) will be rather imputed to an error in judgement than intentional neglect.

1802
30 Oct.
King's
commission.

Acting
without
instructions.

4. I shall now proceed to answer the different paragraphs of your Lordship's letter No. 1* in the order they occur, with such explanations as may appear necessary.

5. Availing myself of the latitude given by your Lordship, I have granted conditional emancipations, and one free pardon, to the respites left by Gov'r Hunter, which I judged would best accord with His Majesty's most gracious disposition towards those who become the object of his royal mercy.

Emancipa-
tion.

6. Respecting your Lordship's remarks on the causes that urged the natives to commit the acts that drew on them the resentment of four of the respites above alluded to, I beg leave to state that by a former despatch I communicated, the natives having shown a disposition to become troublesome to the settlers, who, resisting their depredations, all the natives left that district, and soon after plundered many of the settlers, wantonly murdered four white men, and cruelly used some of the convict women at different times. The natives about Sydney and Hawkesbury continued as domesticated as ever, and reprobated the conduct of the natives in the neighbourhood of Parramatta and Toongabbee, who were irritated by an active, daring leader named Pemulwye,† and in the few intercourses we had with some of his companions they expressed their sorrow for the part they were obliged to act by the great influence Pemulwye had over them. From their extreme agility, lying in wait for them was out of the question. Decided measures therefore became necessary to prevent the out-settlers from being robbed and plundered, and to restore the natives to a friendly intercourse. With these views (founded on the opinions of the principal officers coinciding with

The natives

at Sydney
and the out
settlements.

A hostile
native

* Ante, p. 688.

† See Governor King's Government and General Orders of 22nd November, 1801, ante, p. 628, and 30th June, ante, p. 796 and note.

- 1802
30 Oct.
to be
captured
or shot.
- Friendly
relations
established
- between the
natives and
settlers.
- Convicts by
the Royal
Admiral.
- Procedure
on arrival of
transports.
- Drafting the
convicts.
- mine), I gave orders for every person doing their utmost to bring Pemulwye in either dead or alive, and as it is a practice strictly observed among the natives that murder should be attoned by the life of the murderer or some one belonging to him, the natives were told "that when Pemulwye was given up they should be re-admitted to our friendship." Some time after two settlers, not having the means of securing the persons of Pemulwye and another native, shot them. On this event they requested that Pemulwye's head might be carried to the Governor, and that as he (Pemulwye) was the cause of all that had happened, and all anger being dropped on their part, they hoped I would allow them to return to Parramatta. Orders were immediately given to that effect and not to molest or ill-treat any native. When I received your Lordship's opinion* on this subject I caused the enclosed proclamation† to be immediately published, and made the natives fully sensible of the intention and meaning thereof. They expressed much joy and are now on more friendly terms than ever. I have stated this circumstance in corroboration of the remarks made by your Lordship, and I have every hope (as it will be my care) that we shall continue on good terms with them; still the out-settlers must be on their guard against their predatory dispositions.
7. I am sorry to say at this moment many of the people who arrived by the Royal Admiral are in a state of great debility, nor do I apprehend they will ever recover the strength of men. Justice to the commanders and surgeons of the five last arrived ships‡ requires my mentioning in terms of the highest satisfaction, the excellent state of health and strength of body of both settlers and convicts who arrived by those ships. On the arrival of ships with convicts they are visited by the Naval Officer and Surgeon, who report whether there is any contagious disease in the ship. If their report is favourable, I go on board and enquire into the behaviour of the prisoners and passengers during the voyage, interrogating them respecting their treatment, if they have received the ration and other comforts allowed by Government, and finally whether they have any cause of complaint against any person in the ship, which is not only enquired into, but satisfaction made if requisite. After my inspection the convicts are removed to the Supply, hulk, where they remain two days, in which time they are well washed and new clothed, and are then drafted to the different settlements, placing each ships convicts as much as possible by themselves. I have judged it necessary to enter into this detail to possess your Lordship of the manner in which the convicts have been received here. Copies of the returns your Lordship mentions, to guide my conduct in instituting enquiries respecting

* See Lord Hobart's despatch of 30th January, 1802, ante, p. 684.

† Ante, p. 795.

‡ Canada, Minorca, Nile, Coromandel, and Perseus.

any bad treatment the convicts and passengers may meet with on the voyage, I have not yet received* ; otherways I should have acted on them on two occasions, rendered necessary by the conduct of the masters of the Hercules and Atlas, which arrived here after a passage of seven months, with the whole of their convicts either dead or in a dying state. If justice to the masters of the ships who brought their convicts in such a state of good health requires approbation, my duty requires I should transmit to the Commissioners of the Transport Board the log books and surgeons' diaries of those ships, by which, and my letter to that Board, and its enclosures, left open for your Lordship's perusal, you will observe the dreadful diseases that raged on board those ships, and the consequent great mortality, exclusive of the numbers killed on board the Hercules in a mutiny. The miserable state of the survivors on board these ships, the filthy state they were in on their arrival, the great quantity of spirits and other private trade belonging to the master of the Atlas (which evidently deprived the convicts of air, and the means of being kept clean), joined to the complaints made against both masters, rendered an investigation necessary, the result of which is enclosed with my letter to the Transport Board, to which department I presume these reports should be made through your Lordship.†

1802

30 Oct.

Ill-treatment of convicts on voyage.

Mortality on the Hercules and Atlas.

An investigation.

8. I have the honor to enclose the proceedings‡ of a Court of Vice-Admiralty held on the master of the Hercules for shooting a number of convicts on the passage who were in the act of mutiny, and also for shooting one after it was alledged the mutiny had ended. Your Lordship will observe that on the first count the master was acquitted, and on the second he was found guilty of manslaughter. The Court sentenced him to pay a fine of £500 to the Orphan School, and to be imprisoned until it was paid. As it appeared by the practice of the Admiralty Court (see Foster, p. 288), "that in cases which would be manslaughter at land, the jury is always directed to acquit," &c., I therefore judged it advisable to give the master, Mr. Luckyn Betts, a conditional remission of that sentence, until His Majesty's pleasure may be signified thereon, for which purpose I have enclosed his trial, together with the trial of five seamen belonging to the Hercules for being implicated as principals in the mutiny on board that ship, who were acquitted. Should the sentence of the Admiralty Court be confirmed respecting the fine, I respectfully hope it may be transmitted to this colony for the benefit of the institution it was adjudged to. Before I quit this subject I must observe that in consequence of Henry Brown Haye§ (who was sent from Ireland a convict for life in the Atlas) having treated the Staff-surgeon,

Trial of the master of the Hercules.

Fined £500.

The sentence remitted.

Sir Henry Brown Hayes.

* Marginal note in original.—"Received by the Buffalo since this was wrote."

† The accounts are not available.

‡ Ante, p. 810.

§ Sir Henry Brown Hayes. See vol. iii, p. 281.

- 1802** Mr. Thomas Jamison (who was a passenger in that ship), in a very improper manner, he was sentenced by a Bench of Magistrates to be confined six months in the jail.
- 30 Oct.**
- Commissary's instructions.** 9. His Majesty's pleasure respecting my conforming to the instructions given by the Lords Commissioners of the Treasury to the Commissary, has and will be punctually observed by me, as stated in my former despatches to the Duke of Portland.
- The French vigneron.** 10. As one of the Frenchmen is sufficient to manage the vines until enough grapes are produced to make wine, which cannot be for two or three years to come (if they succeed), I have employed the other (who is a good cooper), making casks, as a wood fit for that purpose, as well as making hoops, has been found. The advantages that will attend the general cultivation of the vine will be great, but it must be individuals of a different description to those usually sent, who can be brought to attend to this desirable object; still, I hope, now the importation of spirits is nearly done away, that some of the more industrious settlers will turn their labor that way, which will depend upon the Frenchmen's success. Upwards of 12,000 vine cuttings are planted on the side of a hill at Parramatta, formed like a crescent, facing the north, which is the best exposition.
- Cultivation of the vine.**
- Importation of spirits.** 11. In my several despatches to the Duke of Portland, as well as in the reports of the entries and clearances, I have constantly noticed the quantity of spirits imported, landed, and sent away. Since my despatches of the 10th March, 1801, which your Lordships has received, I found it necessary to send another American ship away with upwards of 28,000 gallons of spirits and wines, and a brig with part of a ship's cargo from India, but last from the Cape of Good Hope, consisting of 8,000 gallons of spirits, after supplying their want of wood and water. By comparing the quantities received from Sep'r, 1800, to Dec'r, 1801, your Lordship will observe how much less in proportion has been brought in the last eight months, i.e., from Dec'r to this date :—*
- Spirits landed and sent away.**
- | | Gallons landed. | | | | Galls. sent away. | | | |
|----------------|-----------------|-----|--------|-----|-------------------|-----|--------|--|
| In 1801 | ... | ... | 39,851 | ... | ... | ... | 22,000 | |
| „ 1802 | ... | ... | 5,115 | ... | ... | ... | 5,511 | |
- Spirits from America.** In the measures I have adopted I shall persevere, knowing it to be the only means of effectually rescuing this colony from the state it has so long been in, and I sincerely hope that my refusal of any spirits being landed from the American ship *Follensby*, and my letters to the American Ministers† and His Majesty's Consuls, may prevent supplies of spirits from that quarter, and in some measure put a stop to Americans frequenting this port. It is true that the fortuitous arrival of American ships has frequently saved

* See the tabular statements of spirits and wines imported and sent away, ante, pp. 473 and 651, and post, p. 878.

† Aute, p. 296.

this colony from experiencing great want. The timely arrival of the Arthur with salt provisions relieved us from the apprehension of immediate want, and being obliged to have recourse to our fine stock. Situated as the stores then were, with only twelve weeks meat at a very reduced ration, I could not with propriety decline directing the meat to be purchased, and I lament that the improper conduct of the masters of the Hercules and Atlas should have rendered it necessary for the price of that meat to pass into the hands of strangers, which they might have saved to the public had they not stopped so unnecessarily at Rio de Janeiro and the Cape.

1802

30 Oct.

Salt provisions.

12. Having in the course of my correspondence (dated 31st Dec'r, 1801, sent by L't McKellar, and p'r Speedy whaler), and more particularly in the present state of the colony detailed, the measures I was adopting to relieve the public of as much expence as possible, I hope their probable efficacy will be obvious. It is those only who are useful to the public that are victualled by the Crown, excepting the great proportion (i.e., civil, military, children and infirm), who are obliged to be victualled by the Crown, and whose labor is no ways productive, or tending to diminish the expences detailed in the above and other documents lately transmitted.

Previous despatches.

13. By the general state of the settlement of this date,* your Lordship will observe how little our number supported by the Crown are encreased since the last return, notwithstanding 464 people have been landed since. After having adopted the measure, on my first taking the command, of striking those off the stores who had no pretension or claim to be fed at the public expence, I saw no reason why those convicts who are for fourteen years and life, and who have been here a term of years, behaved well, and industrious, might not be permitted to labor for their own support under proper restrictions, which (exclusive of the numbers assigned to individuals) has by experience so fully answered the purpose of lessening the consumption of public stores, provisions, and cloathing, greatly reduced the expences of the colony, stimulated individual industry, and promoted the collective produce of private property, as remarked by your Lordship.

People victualled by the Crown.

Their numbers diminished.

14. In noticing your Lordship's approbation of my conduct, as well as that of Lieutenant-Governor Foveaux, I respectfully request your reference to the duplicate of my last despatches on that subject. The conduct of the United Irishmen has been bad; still I have no thought of any of their wild schemes being carried into execution, nor have a doubt but, if the lower class were not advised by those who think themselves clever and of consequence to the cause, that they would be quiet and happy. As these classes are kept as separate as possible there is no reason to apprehend their contrivances for some time past have gone beyond conversation. The United Irish arrived by the last ships, and those

The United Irishmen.

Precaution against rebellion.

* See this general statement under date 31st December, 1801, ante, p. 651.

1802

30 Oct.

The loyal
associations
disbanded.

expected, will not diminish the hopes of these we already have. Every precaution shall be used to counteract their ridiculous plans and make them as useful as possible, nor do I see cause, with common precaution, to be under any serious apprehension. In a former letter I communicated my reasons for dismissing the associations, which can be re-embodied on any emergency.

I have transmitted that paragraph of your Lordship's observations respecting Major Foveaux to that officer, and I am certain your approbation of his conduct will be as satisfactory to him as it is pleasing to me to communicate.

Floods in
the Hawkes-
bury.

Farming.

The
Governor
rents a farm.

The new
settlement
at Castle
Hill.

Live stock
and
agriculture.

15. In my different despatches since the 10th March, 1801, wherein I communicated the great losses of the settlers and the colony by the repeated overflows of the Hawkesbury, I am happy to say that no flood has happened this year, and that the harvest was well got in, altho' much less ground was sowed than would have been the case had not the settlers suffered so much by the former floods. The same favorable appearances continuing, they continue the cultivation of their farms, which have been so expensive and laborious to clear of timber. The hope of escaping floods (which ensures a plentiful return) encourages them to persevere, which is well for the colony, as private labor has been generally applied to that quarter, where the produce is so great, and so necessary has it been to persevere and make the best use of that place, that from the chance of a good crop being got I was induced to rent an unoccupied farm on behalf of Government, from which a produce of near 5,500 bushels of wheat will be obtained at the price of 300 bushels. It has been cropped again on the public account, and will be continued until I have a sufficiency of ground cleared, and buildings erected about the new settlement at Castle Hill, to employ the convicts at Government labour, who are more than sufficient to cultivate the grounds at Toongabee. For the quantity of ground in cultivation on the public account this year, and every other information on the head of cultivation and stock, I refer to the enclosure*; and as we have the advantage of manure, from an increasing herd of 1,200 head of cattle (which have an extensive range of fine pasturage secured to them), I am hopeful the ground cultivated for the public will increase in quantity and produce yearly, which cannot fail of diminishing the expenses of this colony in proportion to our present and future numbers. But I am sorry to repeat that many of the people now at Government labour (particularly those received by the Hercules and Atlas) are, and will continue, in such a debilitated state as to be of little or no use. To maintain them at the public expence is absolutely necessary to prevent their starving.

* See the return of live stock and agriculture, ante, p. 820, and the return of Government stock, enclosure, post, p. 877.

16. Respecting the advantage of rice being cultivated on the low grounds at the Hawkesbury,* which are so liable to be overflowed, there is a probability it might answer (altho' the climate is rather cold for the cultivation of that grain), if we had the means of giving the grounds the necessary irrigations ; for altho' the banks of the Hawkesbury are inundated twice or thrice in some years, yet in others the river and creeks seldom rise above the ordinary level, which is at least twenty feet from the top of its lowest banks ; consequently, irrigating the grounds could not be done without more expence and labor than our settlers can at present command or attain, and in case of a dry season, or even moderately wet, the rice would fail from the opposite cause to the failure of the wheat and maize ; a crop of each being got in a year has the advantage—if one fails the other may succeed. As I have fortunately procured some seed rice from the French ships, a trial is now making in different situations, the result of which I shall inform your Lordship of. Your Lordship's remark respecting removing the buildings to higher grounds out of the reach of the floods has been fully anticipated in every situation that admits of it. The dwellings of the first occupiers of those farms were miserable huts, composed of logs covered with grass ; barns they could not afford to build ; and since then they have been so involved in debt, thro' the rapacity that existed here, and their losses by floods, that they have neither had the means or encouragement to build more comfortable dwellings and convenient offices. However, I am happy to say that the industrious part of them are now emerging from these difficulties owing to the good harvest they had last year, which enabled many to discharge their debts, and considerably decreased the debts of the others, who have been prevented from contracting more by so great a stop being put to the importation of spirits with which this colony was so long inundated. To these causes must be added the great advantage the settlers, as well as every other description, has experienced, in being able to purchase necessities from the stores at 25 and 50 per cent. advance, instead of satisfying their domestic wants from monopolizing individuals, often at 400 or 500 per cent. between the ship and the shore. These, and other regulations too numerous to detail in this place, has enabled the industrious to distinguish themselves from the idle and dissipated. And in order to continue that emulation, in my late visit to the settlements at the annual general musters, I have distributed a portion of breeding stock to those whose exertions during the last year appeared to merit that encouragement from Government. To prevent them from making away with that stock, I published the enclosed Order.† And those

1802

30 Oct.

Rice at the Hawkesbury.

Probable difficulties.

A trial to be made.

The pioneers.

A good harvest.

The destruction of monopoly.

Distribution of breeding stock.

* Ante, pp. 686, 824.

† The enclosure is missing ; but it was probably the Government and General Order of 24th March, 1802, ante, p. 727, or that of 31st July, 1802, ante, p. 802.

1802	to whom I have, on the same account, given additional quantities of land, I have prevented them from leaving or making away with it, by granting it to their children, who are precluded from alienating it before they have attained the age of twenty-one years, and then not to dispose of it without the Governor's consent first obtained. The numbers thus distinguished from among the settlers, I am sorry to say, are but few; however, I hope next year that my rewards on the part of the Crown will be greater. It is with this view I have offered the premiums contained in the enclosure,* which I hope will stimulate industry more than all the seas of spirits that have inundated this colony. Before I quit this subject I feel it my duty to repeat the great expence it is to the Crown sending such settlers as have lately arrived, scarce one among them ever having seen the least cultivation. As I have detailed the expence and disadvantages of this description of settlers in former despatches, I most respectfully refer your Lordship thereto. I have given these settlers every inducement to benefit themselves and their large families, but I am sorry to say their abilities are but small, and their means still less, as several of them arrived here almost destitute of covering.
30 Oct. — Additional land grants.	
Premiums on industry.	
Free settlers.	
Government cattle.	17. The details in former despatches respecting the cattle render it unnecessary to add much on that important subject, except that they are well looked after, and increase greatly. Since the arrival of the French ships on discoveries, and the Atlas and Hercules transports, it has been necessary to kill an ox once a week, to restore the survivors in those ships. The purchase of the American salt meat, and the arrival of a part of the supplies from England p'r Coromandel, Hercules, Atlas, and Perseus, has not only enabled us to restore the full ration of salt meat to those supported by the Crown, but has removed the apprehension of having recourse to the stock, which would last but a short time and be very inadequate to our wants. The measures taken to ensure a yearly supply of salt meat, and the increase of our cattle, will make a yearly decrease in the demand for salt meat, which can only be effected by the increase of the live stock we now possess, and the addition of such as we may be able to obtain either from masters of ships, or from India or Madagascar, whither I intend sending the Buffalo as soon as possible after her arrival.
Fresh beef.	
Salt meat.	
Importation of cattle.	Sixteen months having elapsed since the contract was made with Mr. Campbell † I am inclined to think his partners in Calcutta do not mean to attend to it, as no penalty existed in case of non-performance. Those who have gone out fully persuaded of bringing in a part of the wild cattle have all been unsuccessful, owing to their ferocity. Future efforts may be more fortunate, but I cannot help thinking it will be more advantageous to leave them quiet on this side the mountains until they increase so much as to compel them to move towards the settlements. I am the

* Ante, p. 203.

† Ante, p. 312.

more confirmed in this idea as the officer (Ensign Barrallier) I sent to endeavour to pass the mountains has returned from his first trial with little hope of effecting it, or making any new discovery, except a very imperfect limestone and a better kind of iron ore than has yet been found. He saw two herds of the wild cattle, of about 200 in each herd, which were too ferocious to approach. His next journey, which he is now preparing for, I hope will be successful, as he is sanguine in his expectations of passing the mountains.

1802

30 Oct.

Ensign
Barrallier's
explora-
tions.

18. By former returns, and the Commissary's statement of cloathing on the 31st last December, since when two issues of slops have been made, which has so much reduced the remaining quantity that it has been necessary to use a part of the military cloathing sent by the Coromandel for those at public labour. Such part as may be required by individuals I have directed the Commissary to sell on the terms prescribed, but, as they are mostly military dresses, they but ill suit the settler. The Commissary will keep a distinct account of these appropriations, which will be included in the annual accounts, a copy of which will be sent your Lordship, and on this head, as well as all others of public expenditure, I beg to refer to his last year's accounts. In my separte letter, A, I have stated the slops we shall need before an answer to this can be received.*

Government
clothing.

19. The great quantity of articles brought to this colony by private adventurers has greatly lessened the demand for those provided by Government. The Commissary's last year's accounts will point out the great benefit resulting from that measure. Your Lordship's directions respecting the price being raised to 50 p'r cent. I have directed the Commissary to comply with. By the different returns transmitted to the Duke of Portland and the Commissary's last year's statement of the public accounts of this colony, your Lordship will observe that the most particular accounts of the disposal of those articles abstracted from any others are kept, and that copies thereof have been regularly transmitted to the Duke of Portland, the latter of which must have come under your Lordship's inspection. I have directed the Commissary to comply with your Lordship's further instructions on this head. As this is an object of much consequence to the colony and the public, I conceive it necessary to possess your Lordship how this part of our public concerns is conducted. When these investments arrive they are placed under the direction of the Commissary; the price of each article, with the additional centage, is then printed and dispersed. As no article whatever of public stores can be issued but by notes bearing my signature, Mondays are appropriated for that purpose, when those who are in want of articles from the stores give in their requests, which I approve or not, according to the character of the applicant, the

Private
trade.The Govern-
ment trade.Arrival of
the goods,and their
disposal to
the settlers.

* *Marginal note in original.*—"A quantity has been received by the Buffalo."

1802	quantities wanted, and the probability of payment. The grain
30 Oct.	or other compensation to the stores is then delivered, unless payment is allowed to be deferred to the next harvest, when it is demanded. Hence the whole of the purchase goes to Government in grain, &c., and is generally received into the stores as the articles are issued; consequently any profit on those articles cannot be made a separate or regarded as a future fund, the profit, as well as the prime cost, becoming the immediate advantage of Government, and prevents the necessity of drawing bills for the amount of grain received for the articles issued. When one ship's investment is disposed of the Commissary will then state the returns of the whole, particularizing the part thereof that has been expended for public purposes and given in exchange for grain, &c., which was transmitted for the last year by the <i>Speedy</i> , from which I hope it will appear that issuing such articles from these investments as the orphans may need, and to give them the overplus of the profit after the other appropriations are made, will be considered the best mode of meeting your Lordship's wishes respecting a donation that will greatly assist our exertions in continuing this necessary and, I may add, indispensable institution, which will be obvious from the number of children (1,111), and that they alone can be regarded as fixed to the soil they have become natives of. During my late visit to the settlements I was happy to find the settlers at the Hawkesbury anxious for the education of their children, of which there are now in that quarter 216. They very commendably entered into a subscription to build a school-house, and, as their exertions have been aided by a few others, I hope soon to see a seminary of useful education rise on the banks of that river. Everything has and will be done by me, and those who assist me, to render the orphan institution permanent and useful, and when I quit the scene I shall form a sincere wish that it may be continued as it has so successfully been begun, being well persuaded that nothing else can ever make the future inhabitants useful to themselves or creditable to the country they came from. In a late despatch to the Duke of Portland I transmitted the treasurer of the committee's last year's account of that fund; similar returns, as well as that of the gaol fund, will be transmitted yearly for your Lordship's inspection.
Method of payment.	
The Commissary's report.	
Profits go to Orphanage.	
Education at the Hawkesbury.	
Shipping arrivals.	20. Since writing the preceeding part of this letter, the Alexander, transport, with 260,636 pounds of flour, arrived the 15th instant, and His Majesty's armed vessel Buffalo the 16th instant, by which vessels I was honored with your Lordship's letters as per margin.* I had the honor of receiving your Lordship's information (by duplicate) that my commission as Captain-General and Governor-in-Chief was sent and instructions, the former of which has not yet been received, and the latter I shall continue my obedience to them. This, I believe, has been fully anticipated,
King's Commission and Instructions.	

* Duplicate, 28th February, ante, p. 697; duplicate, 31st March, 1801, not available.

which your Lordship will observe by my General Orders that go with these despatches. I lost no time in making public the particulars of the definitive treaty of peace. 1802
30 Oct.

21. As several circumstances respecting the detail of this colony are stated in my separate letters attached to this, I must beg to refer your Lordship thereto. I have, &c.,

PHILIP GIDLEY KING.

P.S.—The Commandant of the French ship having prolonged his stay to observe the transit of Mercury, enables me to have most of the accounts made up to this date, and to inform your Lordship that we are getting in our wheat harvest, and that the general behaviour of the inhabitants is quiet, regular, and industrious. Commodore Baudin.

PHILIP GIDLEY KING.

[Enclosure.]

A RETURN of all Government Stock, Oct'r 30th, 1802.

	Horned cattle.					Horses.					Sheep.				
	Bulls.	Cows.	Bull calves.	Cow calves.	Oxen.	Horses.	Mares.	Filleys.	Colts.	Geldings.	Rams.	Ewes.	Wethers.	Ewe lambs.	Wether lambs.
Parramatta	6	223	100	96	43	2	22	6	5	2	4	500	245	170	154
Toongabbie	6	157	195	209	35	..	..	..	..	..	..	..	..	..	..
Castle Hill	1	12	116	91	..	..	..	..	..	..	..	..	..	..	..
Grose Farm	1	18	7	7	..	..	..	..	..	..	..	..	..	..	..
Sydney .....	..	16	8	4	27	..	..	..	..	..	..	..	..	..	..
	14	426	426	407	105	2	22	6	5	2	4	500	245	170	154

Increase of horned cattle since the last week's return, 10; no decrease of ditto.
Sent one calf to the store at Parramatta, 126 lb. No increase of sheep since the last week's return; no decrease of ditto.
Sent one wether to Government-house; ditto, one to the Orphan School.
Sent one calf skin to the tanyards.

OBSERVATIONS by Governor King respecting spirits imported from the date of his taking command (28th September, 1800), to 30th September, 1802.

WHEN a vessel arrives the annexed Port Orders are given,* and such are the temptations of reward for detecting spirits landed without a permit from me, that I am persuaded no attempt has been made to smuggle, except in two instances, which were immediately discovered, and the spirits, &c., forfeited. Smuggling spirits.

If permission is given to land spirits, the price is previously fixed by me and a magistrate. The prices for the quantities landed are noticed in the annexed statement, nor are they to be increased at any time by the proprietor. When I arrived, spirits were 40s. per gallon, altho' there was upwards of 20,000 gallons in the settlement. Price fixed by Governor.

* These Port Orders are not available. See the Regulations on this subject, p. 144, ante.

1803
30 Oct.
Distribu-
tion.

The
Governor's
written
permission.

Cessation of
spirit
importation.

If the quantity imported is small, the officers, licenced people, and deserving people are allowed to have small proportions, but if great, it is bonded and lodged in a secure public store, and security given (exclusive of the Governor having one key) not to touch it under a certain time, and then only to such persons as the Governor may give his own written permit to, which is regulated by the character of the person to whom it is given. By these regulations the quantity that has been allowed to be landed has circulated at proper times, and in regular quantities, and to proper people. However, I hope from the quantities sent away in the America and East India ships, as stated, that further supplies of that poison which has ruined this colony will soon be at an end.

PHILIP GIDLEY KING.

IMPORTATION OF SPIRITS.

Spirits
imported.

ACCOUNT of Spirits and Wine imported into His Majesty's colony in New South Wales between the 31st December, 1801, and 30th September, 1802, with the quantity sent away and remains of that landed being lodged in His Majesty's stores, and given out as the Governor grants permits.

Ships' Names.	Gallons Imported.		Gallons Landed.		Gallons sent away.		Gallons remaining bonded in the King's Stores.		Price limited for Spirits.
	Spirits.	Wine.	Spirits.	Wine.	Spirits.	Wine.	Spirits.	Wine.	
Arthur*	2,500	1,230	2,500	618	..	612	..	..	Per gal. 5s. 6d.
Atlas	2,166	120	..	..	2,166	120	..	..	.....
Fanny*	5,830	800	2,475	800	3,405	..	..	..	7s. 6d. & 15s.
Perseus	140	200	140	..	..	200	..	..	7s.
Between 31st Dec., 1801, and the 30th Sep- tember, 1802. {	10,686	2,350	5,115	1,418	5,571	932	..	..
Between 28th Sept., 1800, and 31st Dec., 1801. as per former returns. {	59,294	30,896	39,851	8,896	32,320	22,000	1,049	4,856	

* American vessels.

Disposal of
spirits.

Of the above quantity of spirits landed there has been purchased on account of Government, from the 31st December, 1801, to the 30th September, 1802, viz., for the use of Colonial vessels, constables, &c., 135 gallons, at 7s. per gallon.

PHILIP GIDLEY KING.

Sydney, 1st November, 1802.

Companies.	Officers Present.										Wanting to complete.										Alterations since last return.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
	Commissioned.							Staff.			Effective Ranks.					File.	Wanting to complete.					Alterations since last return.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
	Colonel.	Lieut.-Colonel.	Major.	Captains.	Lieutenants.	Ensigns.	Adjutants.	Paymaster.	Qr.-Master.	Surgeon.	Assist. Surgeon.	Sergants present.					Drummers present.					Present fit for duty.	Sick.			On Command.		On Furlough.		Total.	Sergants.		Drummers.		Rank and File.		Inlisted.	Dead.	Discharged and Recommended.	Discharged and not Recommended.	Inserted.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							

N.B.—Two sergeants, two corporals, to Supernu's List; one corporal to private; one corp^l from Super'y List

1802

1 Nov.

The New
South Wales
Corps.

1802

1 Nov.

The New
South Wales
CorpsMONTHLY RETURN of His Majesty's New South Wales Corps—*continued*.

Absent Officers' Names and Rank.	From what time.	By whose leave.	To what time.
Colonel Grose..	15th December, 1794	His Majesty's	.....
Captain Townson	15th February, 1800	Do.	.....
Lieut. Patullo..	25th August, 1801	Resignation given in	.....
Captain McArthur	10th November, 1801	Under arrest, by His Excellency Governor King.	.....
Lieut. McKellar	29th March, 1802	Embarked for England with ye Governor's Dispatches.	.....
Names and Rank of Officers on duty, and what duty.		Names of Officers Present.	
Major Foveaux, at Norfolk Island	..	Lieut. Colonel Paterson.	Ensign and Adj't. Minchin.
Captain Abbott, do	..	Captain Johnston.	Ensign Bayly.
Captain Piper, at Parramatta	..	Captain Wilson.*	Ensign Barrallier.
Lieut. Hobby, do	..	Captain Kemp.	Paymaster Cox.
Lieut. Brabyn, do	..	Lieut. Davies.	Qr.-Master Laycock.
Ensign Lawson, at Norfolk Island	..	Lieut. Moore.	Surgeon Harris.
Ensign Maundrell, do	..	Ensign Laycock.	.....
Ensign Piper, do	..	.....	.....
Ensign Anderson, do	..	.....	.....
Amdst. Surgeon Roberts do	..	.....	.....
			* Embarked for Norfolk Island.

W. PATERSON, Lt.-Col.

GEORGE CALEY TO SIR JOSEPH BANKS. (Banks Papers.) 1803

Sir,

[Extracts.]

1st November, 1802.

1 Nov.

At present I am only able to send you a letter, which is forwarded by a passenger in the French ship *Naturalist*. I understand she is ordered by Comodore Baudin to proceed direct to France. This ship, and also the *Geographe*, have been for some months here. They were to have sailed some time ago, but now wait for to observe a transit of Mercury which will happen on the 10th instant, and then immediately depart.

Le Naturaliste and Le Géographe.

The transit of Mercury.

* * * * *

I have of late been in that part of the country called the Blue Mountains, where I have met with several new plants. My principle tracts and observations I shall communicate to you by the first opportunity. Though these hills, by being seen a long way, and by the accounts of the few that have visited them, are in general considered as impassable mountains, yet I cannot rank them as such. On gaining the summit of some of the hills that are seen at a great distance, I have found forest land of a good quality, then met with rocky ground covered with thickets, large trees, and interspersed with deep rocky valleys, but have not as yet found a hill that overlooked the first or commanded a prospect into the interior (except Mount Hunter, which has as good a view to the westward as to the eastward). These ranges of hills seem to me to begin at a considerable distance to the northward and run in the form of a crescent to Cape Howe, and from there it is not improbable but a similar range may run to Wilson's Promontory in Bass's Straits, or sea, as between these two places is a low and level tract of land; yet in passing over these hills, I am of opinion, will not only be attended with difficulty but great hazard. For instance, should a party go out in fine weather and travel a considerable distance, and then wet weather to come on, a stop would be put to travelling farther. Remaining still consumes the provisions. If wet weather continues, hunger will force a retreat. Many of the valleys will be flooded. In travelling, through the thickets will be as bad as being up to the neck in water, and in consequence will destroy their clothing, necessaries, &c. But yet again, a party conducted under an intelligent and frugal person, provided the weather happens favourable, might gain the object of the pursuit. The Gov. has been at some pains, seemingly, to know something more of the country. He lately sent out a Mr. Barrelier, who was equipped with six or seven men, two natives, and two horses. They took their departure from Richmond Hill, and were out 12 or 13 days. I believe his object was to penetrate into the country westward. On his return I was informed that he had discovered a new river, lime-stone in

The Blue Mountains.

Caley's estimate of them.

Diversified country.

The trend of the ranges.

A hazardous journey.

Dangers to be overcome.

A feasible project with intelligent leader.

Barrelier's tour.

- 1802** great abundance, iron almost pure, and had been 50 miles or better in a western direction; but of all this I have doubts, for I have every reason to believe he has been no farther than myself, and I have not been scarcely half the above distance. The minerals I have not seen, but it is probable that they may fall into your hands, whereby the truth will at once be ascertained. The same gentleman is upon the eve of setting off again with a larger party, and instead of horses he takes out two bullocks. He means this time of fixing stations, from which a regular supply is to be forwarded. By what I already know of travelling in this country gives me room to suspect that this journey will not accomplish the design. However, trial will decide. I am so vain as to think that with another man besides myself, and a horse, that I can go further than what this party will, provided the weather is favourable. I have often lamented that being bred a horseman had been all lost labour in forwarding a pursuit in natural history, but at length I am undeceived, for as a traveller in this country it has given me an advantage over all others. When Mr. Barrelier returned I perceived his loss for the want of the like.
- 1 Nov.** I am just upon the point of setting off on a journey, and should have been out at this time, only I am in want of a few articles from the Gov. If the weather is good I shall be out three weeks. I have seen high land, which is about 45 miles south from Prospect Hill. To the eastward of this I suspect Hawkesbury River will be found, and from hence I imagine its source is not far distant. From this place I mean to proceed to the sea-shore, which must also be near at hand. If I find out its source in the time I reckon, I shall proceed to the S.S.W. if the land is favourable. If not, I shall try a west course. I should have been several journeys before this time this season had I had a horse.
- Caley dubious as to its extent.** * * * * *
- The second attempt.** Depressed state of the colony. Soon after Gov. Hunter left here, the colony began to wear a different aspect, and I may safely say for this long time has exhibited a scene of distress. It is not to say the scanty pittance that the stores allowed in weight, but the badness of the article:—wheat frequently devoured by weavils, overrun with a species of *Lolium*, whose noxious effects was severely felt by many people; maize generally mouldy. As hand mills are chiefly in use, after a man had cleansed his grain, together with the toll taken at the above, greatly shortened his allowance. At night the generality of prisoners lay down as they rise, without a rag to cover them, except such as they wear in the day. We have had for a long time very dry weather, vegetables very scarce, wheat in general burned up for want of moisture. The colony is far too young for it to depend upon its own produce, or at least for its stores to be so empty as what they have been of late. You are
- Caley's confidence.**
- His knowledge of riding an acquisition.**
- About to start on exploring tour.**
- The source of the Hawkesbury.**
- The proposed route.**
- Bad wheat and maize.**
- Condition of the convicts.**
- Prolonged drought.**

likely to hear some unpleasant news between the Gov. and the Col. 1802
 Little did I ever suspect such a circumstance would have taken place. 1 Nov.

* * * * *

I am, &c.,

GEORGE CALEY.

King and
 Paterson.

SURGEON JAMISON TO LORD HOBART.

My Lord, Sydney, 8th November, 1802. 8 Nov.

His Majesty's service being materially concerned in the subject which I am now about to submit to your consideration, I cannot doubt that you will deem my inducement hereto some apology for the liberty I take in trespassing on your patience. Jamison's complaint.

Were I tacitly to pass over the complicated abuses committed on board the *Atlas* transport, I should consider myself highly reprehensible. A due sense of moral duty urges the information contained in this letter, and I shall neither exaggerate or diminish the facts it states, but detail the circumstances I communicate truly as they occurred, in the hope that if attended to I may be the instrument of future benefit to His Majesty's service, in preventing a repetition of abuses disgraceful to humanity, by bringing the offender in the present instance to such just punishment as the nature and extent of his offences (on due investigation) may seem to deserve. Abuses on board the *Atlas*.

The principal matter of complaint I have to enter into against Mr. Rich'd Brooks,* master of the *Atlas* (and whence originates various causes of accusation), is that he shipped on board said vessel under his command a far greater quantity of goods and merchandize for his own private trade than could be possibly warranted by the usage of the service he was engaged in. By such conduct the ship was so deeply laden that it became necessary to keep the air scuttles in general closed, and the deadlights frequently shut in. His ideas totally absorbed in commercial speculations for his own individual emolument, every duty he owed to Government was disregarded. The ship during the passage was suffered to continue in a state of cumulating filthiness which exceeds description. The usual modes of preserving health and cleanliness on shipboard was seldom attended to,—even the hammocks and bedding were as permanent fixtures, the salutary custom of airing them upon deck being generally omitted. From the above circumstances, and the humidity created by the confined state of the convicts, the air became noxious to such a degree as to extinguish the candles burning in the cabin. The just observation that foul air and filth generate disease was verified in the *Atlas*. A dangerous fever and dysentery appeared amongst the convicts, to which numbers fell victims; nor were the necessary means adopted to check the progress of this destroying malady. Neglect of sanitary precautions. The vessel over-laden. Foul air and filth.

* See Captain Brooks's letter to the Transport Commissioners, dated from the Cape, ante, p. 739, and Surgeon Walker's letter, ante, p. 796.

1802	used ; on the contrary it should seem, from the conduct pursued, that it was intended to aid the baneful influence of this harbinger of death, for one half the hospital was occupied as a sail room, and by this arrangement the sick were some of them obliged to sleep in the prison with other prisoners who were in health. The prevailing disease being contagious in its kind, the infection extended, from the causes above recited, and the malady became almost general. I have further to remark upon the above head that when the ship lay at Rio, the prisoners being kept on shore presented a favourable opportunity to expel infection from on board by washing and fumigation ; but the surgeon could do neither to effect, the prison being almost filled with sundry kinds of lumber, principally Mr. Brooks's private property. Having in the foregoing remarks touched chiefly on the calamitous situation of the prisoners on board the Atlas, I shall proceed with and conclude what relates to those unhappy people, ere I make a summary recapitulation of the other enormities of their unfeeling persecution.
8 Nov.	
Treatment of the sick.	
The vessel at Rio.	
No ventilation.	On the upper deck the spars were raised three or four feet high on each side in the waist, and the long boat placed in the centre ; the main hatchway was stowed full of casks, that not a breath of air could pass down into the prisons, and the stantions of the after hatchway was boarded up so close that it was impossible that a breath of air could pass that way ; the wind sails were without hoops to expand the canvas of which they were formed ; and being also never repaired, or otherwise attended to, that it was only the name, being every way uncalculated to answer the purposes of utility for which they were intended ; and from the combination of circumstances that I have thus endeavoured to describe, it was impossible that the prisoners could continue healthy. The afflictions of these ill-fated beings (the convicts) did not cease here. The water daily issued, and called three pints, did not exceed a beer quart (infinitely too little for men on a constant salt regimen), and that the thirst and hunger they endured might bear some proportion to each other, they were defrauded of a great part of their ration of provisions ; all the sick were confined to what they termed a vegetable diet, which consisted of pease, barley, rice, and oatmeal ; their animal food entirely withheld, altho' the full ration is charged to Government ; their being deprived of their beef and pork, and curtailed in the species given as an equivalent in lieu by false weights and measures, together with the filthy wretchedness of an insupportable durance, soon induced that debility which eventually terminated in a typhus fever and scurvy ; and as it should seem that avarice and cruelty were the predominant features in the character of Mr. Brooks, he carried the further exercise of cruelties on these pitiable objects to a degree that almost exceeds the bounds of credibility. It was no uncommon spectacle to behold these suffering people labouring under the extraordinary incumbrance
Defective wind sails.	
An inadequate supply of water.	
Diet of the sick.	
False weights and measures.	

of two pair of heavy irons on their legs and one round the neck, with a large padlock as an appendage that weighed at least a pound and a half.* The poor creature, almost strangled and sinking under his burden of afflictions, must perforce remain thus situated night and day, till a capricious change in the disposition of his tormentor should lead him to remit the punishment.

1802

8 Nov.

Heavy irons.

Amongst other incentives to sickness, as also a preventative to a recovery of the afflicted, was a rule adopted on board the *Atlas* to extinguish the fire (used for dressing the provisions) at the hour of dinner, which rendered it impossible for the surgeon to cause drinks, or other comfortable aliments, to be prepared for his patients. The situation of the passengers was unpleasant in the extreme. The after ladder was built up; the communication with the deck was by the after hatchway, and when the seamen were employed in the after hold, which was frequently, ascent or descent was almost impossible; the steerage—in fact every dry and secure part of the vessel—was stowed with private investments of the master and his creatures, so that the passengers have to creep under hammocks and over the chests to gain their cabins, and when there incommoded in such a manner as to be every way uncomfortable, their baggage being crowded therein with themselves; the tonnage allowed to them by the Commissioners for Transport, which ought to have been stowed in the hold, was deposited as above; the stores belonging to Government occupied the place in the vessel that was so ill adapted to their security that numberless packages were adrift about the vessel, their contents trampling under foot, and others were damaged and destroyed by the oozing of the water from the hatchways and scuttles. Any respect or attention in Mr. Brooks to the accommodation of the official servants of the Crown was entirely out of the question. A prisoner on board, and from whom he had extorted three or four hundred guineas, was the only person who had any pre-eminence with Mr. Brooks. This person messed with him, enjoyed a part of the round-house, and the cabin allotted for the passengers was in part stowed with his baggage.† The striking contrast in Mr. Brooks's conduct in relation to the prisoner alluded to above and his deportment towards me was so singular and unprecedented, that I cannot pass it over unnoticed. My bed-place where I slept was rather on a contracted scale, and underneath was stowed four casks of sugar, which were usually required on deck twice a week. My cases were as constantly cast loose, and in danger of being broke to pieces. In the opposite side of the cabin was a scuttle, and under it Mr. Brooks had stowed a number of his packages, which underwent a frequent examination, so that my peace and

Regulations concerning fires.

The vessel lumbered with private trade.

Destruction of Government stores.

A favoured prisoner.

Surgeon Jamison's cabin.

* According to the statement of Captain Hill, the irons used on some of the vessels of the second fleet had been previously used in the slave trade. Vol. I, part 2, p. 367.

† Probably Sir Henry Brown Hayes.

- 1802
8 Nov.
He leaves
the ship at
Rio.
- rest were eternally disturbed. These, with the other circumstances of personal disrespect and ill-treatment, rendered my situation so highly disagreeable that I was compelled to leave the ship at Rio Janeiro. (Mr. Carstairs, supercargo of the *Martha*, who is to be heard of at No. 50, Lime-street, London, can give your Lordship some information on the filthy and encumbered state of the *Atlas* at Rio, and the abuse I received at that place.)
- Adultera-
tion of grog.
- I have already remarked on the fraudulent retention of the convicts' provisions. The passengers, troops, &c., felt a similar imposition in the spirits issued as a part of their allowance from Government, it being constantly adulterated before it was served to them. This is a truth that can be averred in the testimony of a number who were on board.
- Private
trade.
- The immense quantity of private trade in the ship was a source of calamity to all on board, as it served to take up the stowage required for water and other necessary purposes, prevented the circulation of the air between decks by the means used for its security, and marred the necessary progress of the passengers and others throughout the ship, exclusive of the loss and damage sustained by the Crown in the disposition made of the Government stores, whose security and preservation were objects infinitely beneath Mr. Brooks's consideration. A minute schedule of the private property which I have had occasion so often to allude to would far exceed the bounds I have prescribed to myself in this letter. I shall, therefore, only observe that Mr. Brooks's investment alone, had it met a good market, would have gone near to defray the expences for the voyage to New South Wales, exclusive of the above. Mr. Byron, the first mate, had a considerable share of merchandize on board. Mr. Wellen, the second mate, had also an investment, but in a lesser proportion. The former is a relation of the owners, and both devoted to the master, Mr. Brooks. Should an enquiry into the atrocities I complain of from the information herein stated, I must advise caution in the degree of credit that may be given to the testimony of Mr. Byron and Wellen, for the reasons already urged. Could Mr. Walker, the ship's purser and steward, be applied to with caution and address ere the subject in question should be too loudly rumoured, particular and essential information might be obtained from him, as he copied the invoices of all or the greater part of the investments on board, and was privy to the greater part of all his fraudulent practices. Mr. Walker, the surgeon, can make every necessary communication in the medical department.
- A good
investment.
- The first and
second
mates.
- The purser.
- A long
voyage.
- Call at Rio
and the
Cape.
- The protracted and circuitous passage of the *Atlas* to New South Wales is a further subject of censure, as the rout taken was evidently pursued with no other view but to obtain a sale for the private trade. A part was disposed of at Rio Janeiro, where Mr. Brooks, meeting a master of a vessel (lately from New South

Wales), was by him informed that the colony was overstocked with all kinds of European goods. This information suggested as an alternative the Cape of Good Hope. Thither he sailed and disposed of such articles as suited that market. His proceeding to this place with the residue at length became a matter of necessity. Should these delays and consequent miseries and deaths of seventy of the convicts, several of whom were in the last stage of scurvy and were suffered to die in their irons on board the *Atlas*—should this fatality be deemed to have arisen in consequence of the prisoners being kept longer than necessary on board the ship—become a matter of charge against Mr. Brooks, I must give you some hints relative to a letter which may be introduced as a subterfuge from the accusation of protracting his voyage to suit his own private purpose. The letter alluded to was written and forwarded by Lukyn Betts, master of the *Hercules*, to Mr. Brooks, of the *Atlas*, expressing a wish that the two vessels should consort with each other from Rio (where this letter was written) to the Cape. This could be no more than a mere collusion to afford the latter a pretext for touching at the Cape, for Mr. Brooks paid no attention to the course steered by the *Hercules*, and parted company at midday five days after sailing from Rio. I refer you to the logbook of the *Hercules* for a confirmation of the above remark. To conclude, should the flagitious conduct of Mr. Brooks in the various instances here mentioned, and that can be further enumerated, incline His Majesty's Ministers to consider such a man deserving the censure of the laws he has so basely violated, and, further, should they deem my return to Europe necessary on the occasion, I have only to declare my readiness to obey their intimation to such effect, it being a cause of humanity and justice. I should feel happy to bear an unerring testimony to the truth of what is here asserted.

1802

8 Nov.

Convicts
dying in
irons.Two
captains.In case of
inquiryJamison
would go
Home.

I have, &c.,

THOS. JAMISON.

GEORGE CALEY TO SIR JOSEPH BANKS. (Banks Papers.)

[Extracts.]

Sir Joseph,

8th November, 1802.

* * * * *

Mr. Barrelier set off on his journey on Thursday last. They were 10 or 11 in number, and all had guns. A cart with two bullocks. This party, I understand, are likely to go a great way if we credit the report; but in my opinion it will fail, for they cannot go above 2 days' journey before they must part with the bullocks, and then every man must carry his own provisions, and he must be a very strong man that can carry 20 lb. extra of his gun, ammunition, &c. They talk of making stations in order to have supplies forwarded. Upon a horse I can take 100 lb. of food extra of all other articles for my pursuit. I am not afraid to

Barrallier's
second
expedition.Caley
sceptical.

Caley's idea.

1803 travel by having only another person besides myself. By this I
8 Nov. have not the incumbrance that will always be found in a large
party.

* * * * *

I have, &c.,

GEORGE CALEY.

GOVERNOR KING TO TRANSPORT COMMISSIONERS. (King Papers.)

9 Nov. Gentlemen, Sydney, 9th November, 1802.

As the whaler mentioned in my last has left the coast without calling here, I have made application to Commodore Baudin (who commands the French expedition of discoveries that have been some time past repairing and refitting in this port), to allow Mr. James Thomson, staff surgeon, who has my leave to return to England, to take his passage on board the *Naturaliste*, which ship the Commodore intends to despatch to Europe, when he gets through Bass's Straits. That gentleman I hope will arrive safe with my letters, &c.

Surgeon
Thomson a
passenger
by the
Naturaliste.

Referring you to the enclosed duplicate of my last letter (9th August, 1802), and as the following subjects may eventually come before your Board, I judge it necessary to inform you that actions in our courts of justice have been instituted by Mr. Thomas Jamison, Surgeon of Norfolk Island, and acting as Principal Surgeon here, who embarked as a passenger in the *Atlas* for this country, against Henry Browne Hayes, a convict on board that ship, who lived with the master, and against the master himself, for assault, and having suffered considerably by his property being damaged. H. B. Hayes was sentenced by the magistrates to six months imprisonment for his threatening and improper conduct to Mr. Jamison. The Court of Vice-Admiralty and the Court of Civil Jurisdiction, not considering the master of the *Atlas* within the jurisdiction of those Courts, have declined trying him for the assault. Mr. Jamison commenced an action of damages against him for the recovery of the value of the goods he had damaged, in consequence of their improper stowage, also for the losses he sustained on being obliged to leave the *Atlas* at Rio Janeiro, in consequence of the ill-treatment he received, and paying for his further passage in the *Hercules*, remuneration of all which he craved.

Surgeon
Jamison's
charges
against
Hayes,

and against
the captain
of the
Atlas.

Verdict for
Jamison.

The Civil Court, after sitting near a fortnight, gave a verdict against the master of £100 and costs. From this verdict he appealed to me, and as the proceedings of the Civil Court are extremely voluminous, it is next to impossible for me to get them transcribed. I enclose a copy of my award in consequence of the appeal, and which will inform you of my reasons for that opinion.

I also enclose my correspondence with the master of the *Atlas* 1802
 respecting the quantity of spirits, &c., which he brought here for 9 Nov.
 sale. He was allowed to land every article but the spirits, to Spirits on
 which I at last gave permission for the reasons stated in the the *Atlas*
 enclosures. But he did not land any that remained after supply- sold to the
 ing the French Commodore with 800 gallons for the use of the French
 expedition. Perhaps he will call at Norfolk Island and dispose expedition.
 of [it] there, which I cannot prevent, as he declared he was not
 bound thither.

Previous to the *Atlas*'s departure I rec'd the information con- Appropriat-
 tained in the enclosure,* and much other to the same purpose, ing convict
 respecting the master's having appropriated to his own use a quan- stores.
 tity of the provisions put on board that ship at Cork for the use
 of the convicts and passengers on the voyage.

An investigation thereof was publicly made which I enclose for
 your information, and as the magistrate who took the depositions
 (Mr. James Thomson) will wait on your Board, I beg to refer you
 to him for any further information. As far as my own opinion King's
 goes, there is certainly great reason to suspect foul-play. opinion.

* * * * *

As similar circumstances may arise in this colony, I beg to A legal
 request you will allow the following questions to be put to your answer
 solicitor, and his answers sent to me, if it can be done with requested
 propriety, viz :—

As the charter-parties are made between the Commissioners for
 conducting His Majesty's Transport Service on the part of His
 Majesty, and the brokers on the part of the owners, is any infringement
 of the charter-party cognizable and recoverable before and by
 the Courts of Judicature in this colony? respecting
 infringement
 of charter-
 parties.

If so, in what manner is a verdict of damages to be recovered— Mode of
 on the ship, or by masters bills on the owners? recovering
 damages.

If these actions are not cognizable in this colony, I beg to be Information
 informed whether the present mode I have adopted, in what for Trans-
 respects the complaints of the master of the *Atlas* having pur- port Board.
 loined some of the provisions put on board for the use of the
 convicts on the passage, and the survey on the damaged part of
 the *Perseus*'s investment, are sufficient information for your Board
 to act upon?

* * * * *

The *Atlas* (Musgrave) arrived here the 30th ultimo, after a five- A healthy
 months' voyage from Waterford. He lost no convicts on the pas- voyage.
 sage, and the whole were in perfect good health and fit for im-
 mediate labour, and expressed the greatest thanks to the master and

* The enclosure is not available.

1802 surgeon for their attention and kindness to them. This is a proof
 9 Nov. that the masters of the *Atlas** (Brooks) and *Hercules* might have
 brought their cargoes equally as well and expeditious.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

My Lord,

9th November, 1802.

Shipping
news.

By Lieut't Neil McKellar, of the New South Wales Corps, I had the honour of transmitting, to the address of His Grace the Duke of Portland, the entries and clearances of vessels into and from this port up to the 31st December, 1801.† I now transmit the Naval Officer's half-year's report of entries and clearances of vessels into and from this port from the 31st December, 1801, to 30th June, 1802,‡ as well as a report from the latter period up to the 30th September.

Spirits.

Respecting the importation of spirits and wines, I beg to refer your Lordship to my general letter of this date.

The whale
fisheries.

The spermacæti whale fishery has answered extremely well, and the ships sent out from England have been for the most part successful. It appears a very desirable object to the masters to be enabled to follow the course of the whales, which invariably go a N. or N.E. course. From what enquiries I have made, I find none of them have gone beyond the limits, altho' the temptation has been very great. In my last I had the honour of transmitting a set of queries, with the answers of the masters of the vessels then in this port, which I hope will operate in obtaining them the object of their pursuits, as it is so intimately connected with the welfare of this colony.

Sealing in
Bass Strait.

The small vessels that catch seals about the islands in Basses Straits and Van Dieman's Land belong to individuals of this place. A quantity of seal skins and oil has been brought by those vessels. The former they sell or barter with masters of ships going to China, but as their value has considerably fallen in China, they get very little for them at present. However, as this is the most considerable among the very few natural productions of this country that can be esteemed commercial, and as they will always be received in China, I have, and shall, encourage that pursuit as much as possible to those who may be of industrious and enterprising dispositions among the inhabitants.

* There were two vessels named "*Atlas*." One arrived 6th July, 1802, under command of Robert Brooks. This was the vessel on board of which so many convicts died during the passage. See note to letter of 9th August, 1802, ante, p. 808. The other arrived 30th October, 1802. Her captain's name was Thomas Musgrave. As stated in the text, her convicts were remarkably healthy.

† Ante, pp. 640 and 647.

‡ Ante, pp. 703 and 704.

On the 9th September a French schooner* arrived in six weeks from the Isle of France, from whence she sailed with an intention of sealing on the Islands of St. Paul and Amsterdam. Missing those islands, it was their intention to have sealed about Llewén's Land, but having received much damage they came here to repair, and asked leave to catch seals in and about Basses Straits. As I could not but regard this visit as a prelude to a number more of the same nation coming here, after allowing him to refit and supply his wants of wood and water, I directed the letter (of which the enclosed is a copy)† to be written to him, and I humbly request being furnished with such instructions as may be judged necessary to guide my future conduct on this head, particularly respecting French and American vessels.

1802

9 Nov.

A schooner from the Isle of France.

Foreigners sealing on the coast.

Of the natural productions of this country, I am sorry our present discoveries do not extend beyond coals and fustick. Of the former, several vessels going to India have taken a quantity. A brig‡ has also taken a quantity to the Cape of Good Hope, which I am informed sold for £7 per ton. How far they will be an object of trade to India I am not informed. Samples of fustick have been sent to Sir Joseph Banks, but as it is so cheap in the West Indies I doubt its being of any commercial value.

The exportation of coal.

The introduction of some half-bred Spanish rams among the increasing flocks of individuals, and the consequent improvement of their fleeces, will in the course of a few years produce sufficient wool to cloath the inhabitants. This manufacture, as well as that of flax, is carried on, altho' to no great extent for want of two overseers who are free men and properly qualified to superintend and direct these manufactures.

Spanish sheep.

I have directed a duty of 5 per cent. to be laid on all wares and merchandize brought from any port to the eastward of the Cape, as well as all other goods not of British manufacture, which is to be appropriated to the Orphan Fund. My reasons for this measure are the necessity of encouraging English manufactures in preference to those which come from India, on account of their being more durable and of better quality; and preventing the great intercourse of Americans, whereby the money drawn for the necessary contingent expences passes into the hands of strangers, exclusive of the evils arising from the great quantity of spirits hitherto brought from that quarter. I have, &c.,

A Custom duty on foreign goods.

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

My Lord,

9th November, 1802.

With this I have the honor to enclose a return of the superintendants and storekeepers, also an account of those who

Enclosures.

* The Surprise, 90 tons, under the command of Alex. le Corre.

† Ante, p. 841.

‡ The Anna Josepha, the property of Mr. Simeon Lord.

1802

9 Nov.

have been discharged, with the appointments in their stead, together with a return of the officers present and absent, on the civil establishment, and a list of such officers as do extra duties and receive no salaries.*

Toongabbie
and Castle
Hill.

A superin-
tendent of
agriculture,

In my former despatches I have pointed out the great inconvenience felt by Government in the grounds about Toongabbie, which Governor Phillip originally intended as a public agricultural settlement, being granted away to individuals, and the necessity I was under to make a new settlement, where upwards of 100 acres are cleared and cropped, and several useful buildings erected; and having near 300 acres in cultivation on account of the Crown at Hawkesbury, until more ground is cleared at the new settlement,† there is an absolute necessity for a person versed in cultivation to have the general inspection and superintendence of those divided public farms at Toongabbie, Hawkesbury, and Castle Hill, where so great a proportion of Government servants are employed. For that purpose I fixed on a person who has conducted the settlement at Toongabbie for eleven years past, agreeable to the enclosed order, which I hope will meet your Lordship's approbation, as it will make the publick labor much more productive.

and of public
buildings.

From the distance of those settlements from each other, it has also been necessary to appoint a steady, careful man, as an extra superintendant, to inspect and construct public buildings. I have directed the Commissary to pay as stated in the enclosed order. These are additional expences I should not have put the public to, but for the great utility I am certain they will be of in directing the public labor to advantage and consequent saving to the Crown.

The public
live stock.

In my several letters I have detailed the good state and the great care taken of the public stock by the superintendant,‡ from whose attention and abilities the Crown has received considerable advantage. His charge and the great value of it to the Crown daily increasing, I took upon myself to make an increase of £50 per annum to his salary as superintendant, as stated in the enclosed order. I did hope for this necessary addition to his salary (he having a large family) being approved of, but as yet I have had no information on that subject. Should this application remain still unanswered, I hope when your Lordship reflects on the great service this person has been of and is to the public, that my further request of being authorized to give him £150 a year may not be deemed premature, as I cannot expect him to continue his exertions without some adequate recompence for the whole of his time which he gives up to this important trust, and discharges it very much to my satisfaction and the public advantage

Salary of
Superinten-
dent of
Stock.

I have, &c., PHILIP GIDLEY KING.

* Such of these Enclosures as are available, will be found in their proper places according to their dates. † Castle Hill.

‡ The Superintendent of Government Live Stock was named John Jamieson—ante, p. 209. He had worked under King at Norfolk Island—ante, p. 203.

GOVERNOR KING TO LORD HOBART.*

1802

Sydney, New South Wales,

9 Nov.

My Lord,

9th November, 1802.

In referring your Lordship to my military letter No. 4,† and its documents, to the Duke of Portland, I sensibly feel the trouble that will be occasioned by being once more compelled to make those representations which neither my situation nor the subject can allow me to conceal or repress.

King's military letter.

* * * * *

I hoped the impression of these events on Col. Paterson would have ensured the good understanding they procured, which I am sorry to say has been interrupted by recent circumstances, previous to detailing which I must inform your Lordship what I believe is no secret, either in the department your Lordship has succeeded to, or to His Royal Highness the Commander-in-Chief, namely, that several officers, civil and military, had made fortunes by the infamous traffic in spirits, which was so long carried on in defiance of every honorable consideration that ought to attach to those who hold their Sovereign's commission. Repeated informations of these enormities, and the heavy sums drawn, occasioned a representation being made to His Royal Highness the Commander-in-Chief (by your Lordship's predecessor), who ordered Colonel Paterson (then in England) to rejoin the Corps.‡ I was soon after dispatched in a whaler on the most unpopular errand—to supercede the then Governor, put a stop to officers trading and dealing in spirituous liquors, destroy the oppressive monopolies that had so long existed, and to make a total reform in the expensive and dishonorable plans which had prevailed so long. To possess your Lordship of what I had to contend with, I have enclosed a copy of that part of your predecessor's letter on that head to the Governor I was to supercede, and which was to guide my conduct, to which I request your Lordship's reference in this place.§

King and Paterson.

Officers trafficking in spirits.

King's unpopular errand.

On arriving I found the same practices prevailing, and as soon as decency towards the late Governor admitted I took the measure stated in the enclosure|| to inform the officers of the instructions I was to conform to, which I presume will be considered the most delicate mode I could have adopted. Added to this, the General Orders, as p'r margin, will assure your Lordship that my exertions were as strenuous and firm as ill calculated to gain popularity among the different descriptions of those I had to command, where the interest of one part was so closely attacked, and the propensity

The removal of abuses.

* The parts of this letter which are merely repetitions of previous despatches have been omitted.

† Ante, p. 724.

‡ See the Horse Guards to Paterson, 6th March, 1799, vol. iii, p. 639.

§ The copy of this extract is not available, but the letter was doubtless that of the 5th November, 1799, vol. iii, p. 733.

|| See Governor King's letter to Lieut.-Colonel Paterson, of 8th September, 1800, ante, p. 139.

1802 of the other classes to obtain spirits at any rate prevailed to so
 9 Nov. great a degree as to require the most decided but cautious conduct
 Spirits sent away. to carry my instructions into effect.

My returns* have informed your Lordship of my sending a great quantity of spirits away, and that the purchase of what I permitted to be landed was easy to the individual, profitable to the community, and the quantity to each person small, but sufficient for their domestic use. This did not satisfy the monopolizers; their market was spoiled. The settlers, &c., were not allowed to mortgage their growing crops, and, to complete the disappointment of those vultures who enriched themselves at the expence and existence of their fellow-creatures, Government wisely adopted the measure of supplying the inhabitants (at 50 p'r cent. advance) with such necessaries as they could not purchase from the monopolizers for less than 1,000 p'r cent. on the prime cost.

Cessations of spirit importations. These regulations, together with the stop that has been put to vessels bringing spirits from India, the little encouragement given to Americans, and the restrictions pointed out in the Port Orders, has nearly, if not quite, done away with the importation of that destructive article from all quarters. However, from the time of the above regulations taking place (which commenced with my taking the command) began the partial discontent, secret opposition, and difficulties thrown in my way; all which I certainly expected. They are too numerous and contemptible to wound your Lordship's ears with their detail; but as they have occasioned the contents of the book of General Orders that accompany this letter, and a reference had to the index will be a faint sketch of what I have had to contend with.

An unpopular policy.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

Sydney, New South Wales,

9th November, 1802.

Salt meat
from
England.

Soldiers'
rations.

My Lord,

On the arrival of the ample supply of flour and salt meat by the late transports, and His Majesty's ship *Buffalo*, which arrived here the 16th ult'o, and being enabled thereby to issue a full ration to the military, agreeable to the Commissary's instructions from the Lords of the Treasury, I judged it incumbent on me to take some steps respecting the deductions to be made on the military ration, as pointed out by His Majesty's warrant on that behalf. In this place I must refer your Lordship to my letter to His Grace the Duke of Portland, of which I enclose the copy of a paragraph,† and correspondence that related to this object. As

* Ante, pp. 473, 651, and 878.

† The letter referred to was that of 21st August, 1801, ante, p. 492. The third paragraph was the one enclosed.

Col'l Paterson received the instructions contained in the Secretary at War's letter to him of September 27th, 1800,* and did not judge it necessary to take any steps then, as we could not serve a complete ration, I deferred taking any steps until I might receive instructions in answer to the above paragraph; but as the deductions were dispensed with by the orders of my predecessor, and as it is now in our power to continue the complete ration, I judged it necessary to submit the choice to Lieut't-Col'l Paterson, as stated in the General Orders of the 22'd October, a copy of which, with my correspondence and the final regulations on that head, I have the honor to enclose, with a statement showing that the complete ration and deductions gives a saving to Government of £3,491 16s. 8d. per ann.

1802

9 Nov.

The question of deductions.

What I have done in this case, your Lordship will observe, has been to free myself of a future responsibility; and from the necessity of issuing a complete ration to the military now it is in my power, agreeable to the directions received from the Treasury, and in conformity to His Majesty's warrant in that behalf, which do not mention any deductions from the commission and staff officers of troops serving abroad, your Lordship will observe that I have continued the Treasury ration to the latter descriptions until I receive instructions on that head.

King unwilling to incur responsibility.

The orders† I have given the Commissary consequent on the above regulations I hope will be approved of, and found sufficient to recover the amount of the deductions.

Your Lordship will also observe, by the first part of the General Orders of the 22'd ult'o, that from the number of families on the store, I found it necessary, in conformity to my instructions, to order the wives, children, and female servants belonging to commissioned officers on the civil establishment (which consequently includes my own), to be struck off the stores; and, altho' I can find no army regulations, or obtain information which warrants any wives or families of officers or soldiers being supported at the public expence, yet, for the convenience of the New South Wales Corps, I have continued the Treasury ration to five women and their families in each company, limiting that indulgence to those who came free and married from England, being in my opinion a necessary distinction, as many of the convicts who are married to private soldiers are too depraved and wicked to be allowed any indulgence whatever.

Victualling wives and female servants of civil officers.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 22nd October, 1802.

Considering your Excellency as Commander-in-Chief of this colony, I cannot take upon me any responsibility respecting

Paterson declines to accept responsibility.

* Not available.

† See these orders, ante, p. 862.

1803

9 Nov.

the ration for the military more than what I have advanced to your Secretary, and a reference to His Majesty's warrant of the 6th Feb'y, 1799; also the Secretary of War's letter to me, dated the 27th Sept'r, 1800, a copy of which is enclosed.

Any orders your Excellency may please to give on this head I shall cheerfully attend to.

I have, &c.,

W. PATERSON.

[Enclosure No. 2.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 23rd October, 1802.

King's
reply.

I have received yours, and as you inform me that you decline being responsible respecting the ration for the military more than what you have advanced to my Secretary, and referring to the King's Instructions of Feb'y 6th, 1799,* and the Secretary at War's letter to you of the 27th Sept'r, 1800.*

A full ration
to the
military.

If the Warrant of Feb'y, '99, does not differ from that of May, 1797, there can be no doubt the Secretary at War's letter confirms that order, which, joined to my instructions as stated in the General Orders of yesterday† to issue the military a full ration, requires an obedience to the letter of the King's Warrant of May, 1797, to which the Secretary of War alludes.

I have to request you will have the goodness to inform me as soon as possible how far your responsibility goes, as you communicated to my Secretary yesterday. I will also thank you for your opinion respecting the officers' ration, as the warrant only expresses the commissioned officers and privates.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 3.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 23rd October, 1802.

Deductions
from the full
ration.

I have the honor to enclose the warrant of the 6th Feb'y, 1799, which your Excellency can compare with that of May, 1797. When the full ration is issued I consider myself responsible for the deduction of threepence halfpenny for each non-commissioned officer, drummer, and private, in the regiment, and my opinion is that the officers ought to receive a ration, as animal food cannot be had but at a most exorbitant price.

In the course of to-day I shall give your Excellency the names of the servants the officers retain, and also a list of the soldiers' wives and children.

I have, &c.,

W. PATERSON.

* Not available.

† Ante, p. 882.

THE SOLDIERS' RATION.

897

[Enclosure No. 4.]

GOVERNMENT AND GENERAL ORDER.

1802

23rd October, 1802.

9 Nov.

IN consequence of the Secretary at War's letter to Lieutenant-Colonel Paterson, dated the 27th September, 1800, stating "that he does not see any ground for continuing to exempt the men from the established deduction during any period when they receive complete rations of provisions, as after taking those deductions they will still enjoy the full advantage of the nett additions made to the pay of the infantry of the line in the year 1797," and the Governor and Commissary being directed to issue a full ration to the military as long as the stores will admit of it, the following weekly ration (agreeable to the King's warrant of May 25th, 1797), will be issued to the military until further orders, viz. :—Flour, 10½ lb., or wheat, 13 lb. ; beef, 10½ lb., or pork, 4 lb. 6 oz.

The ration to the military.

The above compleat ration does away the Order of yesterday respecting sugar.

Lieutenant-Colonel Paterson will make such regulations respecting the deductions as he may conceive the Secretary at War's letter to him requires.

The necessary regulations.

From the dearthness of animal food, the officers will continue to receive the Treasury ration, subject to such regulations as may be ordered on that head hereafter by the Secretary at War.

PHILIP GIDLEY KING.

GOVERNOR KING TO LORD HOBART.

My Lord, Sydney, New South Wales, 9th Nov., 1802.

With this I have the honour of forwarding a duplicate of my separate letter A* sent with my general letter No. 7† to the Duke of Portland, to which and its enclosures I have to request your Lordship's reference.

Duplicates of previous letters.

An abstract of the expences, the necessity of incurring them, the quantity of grain purchased from individuals (from the 1st January to the 30th September), who required payment by bills on the Treasury, also such other bills as have been drawn for the indispensable public use of the colony, are stated in the enclosure,‡ with the value of what remains from purchases since the 1st last January. To that statement is also annexed an account of grain delivered into the stores from the above date, whether paid for in copper coin or received in exchange for articles from the public investments. By the enclosures Nos. 5 and 6 in my last letter, A, and my letter No. 8 to the Duke of Portland, your Lordship will observe how much our salt meat was reduced, and the timely arrival of the American ship Arthur with a quantity for sale,

Enclosures.

The purchase of salt meat.

* This separate letter A contained no information beyond that contained in the letters of the same date (21st May, 1802), ante, pp. 761 and 764 ; it has therefore been omitted.

† Ante, p. 764.

‡ Not available.

- 1802** which I directed the Commissary to purchase, giving my reasons for so doing. Altho' I am loth to direct any purchase from strangers, yet the circumstances of the colony made it unavoidable, and as such I hope will meet your Lordship's approbation. The master of the *Perseus*, transport, having brought some breeding cattle from the Cape, and as they are of a superior kind to most that come from that place, I directed the Commissary to purchase them for the Crown at £35 a head for the cows and £28 a head for the males. This purchase I directed, as the more cattle that are introduced into this colony the sooner we shall be able to supply ourselves with animal food. The original voucher for this purchase was sent by the *Perseus*. On the *Alexander's* arrival the commandant of the French ships on discovery applied for 60 casks of flour and 25 casks of salt meat to enable him to dispatch the *Naturaliste* to France and the *Geographe* to continue her discoveries. The inclosed Order to the Commissary will inform your Lordship that I complied with his request, and you will observe that the price paid for it has been given to those who put grain into the stores in the last quarter, as stated in the abstract.
- 9 Nov.**
- Cattle from the Cape.**
- Supplies for French ships of discovery.**
- Returns.** To these documents are added the last quarterly employment of the convicts maintained at the public expence, a return of the present general state of the numbers in the settlement, and the result of the annual musters taken in August last.*
- Provisions in the stores.** I also enclose the Commissary's return of provisions remaining in store the 30th ulto and an estimate thereon, by which your Lordship will observe we have now 57 weeks' salt meat for our present numbers, which includes that received by the *Coromandel*, *Hercules*, *Atlas*, *Perseus*, *Alexander*, *Buffalo*, and *Atlas*, and that we have now 38 weeks' flour and wheat in the store. By that return and Orders respecting the ration, your Lordship will observe that two-third's ration of grain, i.e., 10½ lb. to each man per week, was issued from 22nd June; that a full ration of grain was issued on the arrival of the *Alexander*, which will last until the harvest is got in without touching our flour.
- The weather.** Although we have had much dry weather, yet every present appearance promises a good return for the ground sowed. As our second windmill is now finished, we shall be able to grind the wheat grown here into flour, which will enable me to receive such quantities as may be offered by private cultivators, and procure us a store in advance to meet any accident that may happen to future crops.
- A rumour.** As several evil-disposed persons had endeavoured to propagate a report among the settlers that Government would continue to send out flour, and that they had no occasion to cultivate their grounds, in the Order that notified the increase of the reduced ration I noticed that subject and assured the settlers that their grain would be received as usual.

* Ante, pp. 820, 821.

As the grain we now have will last five weeks without touching the flour there will not be more than £100 worth offered to the stores which will be received. But as your Lordship may wish to be informed of the amount of bills drawn for our contingent expences since January 1st last I beg to refer you to the enclosure, which will not only point out for what purposes and the amount of bills drawn during the former year, *i.e.*, 1801, but also for the year 1802, which is now nearly expired.

1802

9 Nov.

The supply
of grain.

Notwithstanding 1,221 persons have arrived since the former year (1801), making 1,100 full rations, yet our expences for grain, &c., as stated in the enclosures, will be found much less in proportion for this year (1802), which I hope will prove the œconomy and saving that has been used and made. These circumstances will be more amply detailed after Dec'r 31st, when the Commissary's final accounts for the year are closed, which will be transmitted by the first direct conveyance.

Cost of main-
tenance.

Respecting the quantity of flour now received, I observe by your Lordship's letter No. 2 and its enclosure No. 2 that in consequence of my statement of the probable deficiency of grain before the harvest of 1801 could be got in, and the probability of my being necessitated to send to Madras or the Cape for supplies of grain, you had directed the quantity stated in the return (23,387 bushels of wheat) as wanted to complete the year to be shipped on board the Atlas and Rolla, the latter of which is not yet arrived. I have the honor to enclose a copy of that return, by which your Lordship will observe in the last column it was stated that near 17,000 bushels of the deficiency might be obtained from the settlers and other private speculators, and I certainly ought to have added (to put the meaning of that return beyond a doubt) that the reduction I meant to make, and which was afterwards made in the ration, might spin our grain out till the next harvest. As the 17,000 bushels stated in my return were given into the stores, and the reduced ration having extended the grain to the harvest, I am sorry Government has been at the expence of sending flour hither. However, it will be advantageous to have such a quantity before hand in case of future accidents by flood; but I beg leave to state *most explicitly* that this colony has not, nor can have further occasion for grain or flour being sent from England whatever accidents may happen to the crops, as the resources in vegetables are great, now that the settlers are turning their attention to gardening, and long before any supplies could possibly arrive the ensuing harvest of wheat and maize could be got in, and having a crop of each at different times of the year secures one if the other should fail.

The stock of
flour.Flour re-
ceived from
England.The colony
self-support-
ing in regard
to grain.

The quantity of salt meat received by the ships as per margin* and that expected from Otaheite by the Porpoise and Norfolk, as well as a quantity which is expected by the Venus that sailed

The supply
of salt meat.

* Coromandel, Atlas, Hercules, Perseus, Buffalo, Atlas.

1802

9 Nov.

from hence in November last (as stated in my letter No. 6,* date March 1st, 1802, to the Duke of Portland) will, if the latter arrivals are fortunate, preclude any necessity for salt meat being purchased in the colony from any American or other ship except the *Venus* until the time stated in the return of provisions, but after that period a further supply of salt meat will be necessary to prevent our live stock being begun upon too soon. As all the calculations are made for the numbers *now* in the colony, the demands must increase in proportion as the numbers increase, although from the arrangements that are made, and the attention paid to public agriculture, a considerable part of the expences will be saved.

Returns of
stores and
clothing.

The return No. 8 contains an account of stores, cloathing, and provisions received, expended, and remaining in His Majesty's stores from 1st January to 30th September last, and the return No. 9 will possess your Lordship of the provisions, stores, clothing, investments, and passengers received from the ships as per margin which have arrived since 1st January last, also a continuation including those received by the *Alexander*, *Buffalo*, and second *Atlas*, all which will furnish every information on those heads and from the liberality of the supplies received and those I may expect, as required by my last dispatches (with the immense quantity of all kinds of European goods in the hands of individual which are selling mostly at very little above the prime cost), prevents our present wants being so considerable as they have been. Some articles are particularly wanted, as stated in the enclosed list of wants.

The Govern-
ment ware-
house.

Referring your Lordship to the eighteenth paragraph of my general letter No. 1,† sent with this, respecting the appropriation of the public investments sent in the *Earl of Cornwallis*, *Perseus*, *Coromandel*, and to the Commissary's last year's accounts of the disposal of those articles, as well as with this year's accounts, which will be settled at the end of the year, and of which an abstract will be sent, I shall only observe that the enclosure contains a list of those articles that I judge will be requisite and acceptable to the inhabitants by the first conveyance after your Lordship receives this despatch.

Port wine.

I directed the Commissary to pay the amount of the ten pipes of port wine, received by the *Coromandel* and *Perseus*, to those who had put grain into the stores, which reduced the sum necessary to be drawn for. I have made such observations on the demands respecting the way some of the things are sent out as I hope will prevent the losses we experience in finding many things damaged, particularly on board the *Perseus*, where much of the most valuable part of the investment was injured by oil leaking on it, as appears by the enclosed reports of the surveys.

Requesting your Lordship's perusal and consideration of the enclosed documents.

I have, &c.,

PHILIP GIDLEY KING.

* Ante, p. 714.

† 30th October, 1802, ante, p. 808.

THE COLONIAL NAVY.

901

His Majesty's and Colonial Vessels employed for the Public Service of the Public Service of His Majesty's Colony in New South Wales, 9th November, 1802.

Names.	Rigged.	Tons.	When and where built or purchased.	No. of officers and men.	Pay per month. £ s. d.	Pay per annum. £ s. d.	In what state.	General employment.
Buffalo ..	Ship ..	..	On the establishment of the Navy.	.....	.....	.....	.....	Fitting for service.
Porpoise ..	Ship ..	..	do.	.....	.....	.....	.....	Sailed for the Society Islands in May last for salt pork.
Supply ..	Hulk ..	..	.....	.....	.....	.....	.....	Receives empty casks and other stores.
Lady Nelson ..	Brig ..	60	Paid as a contingent expence of the colony to the 16th Oct., 1802, then as a tender to the Buffalo, by order of the Admiralty.	Lt. and comm'r. Chief mate 2nd do 12 petty and able	.....	.....	.....	Arrived from England in December, 1800; has since been three voyages of survey in Bass's Straits and Hunter's River, and is now with His Majesty's ship Investigator.
Norfolk ..	Brig ..	56	Purchased in May, 1801. Built in 1797 of Quebec oak.	Master .. 1 mate .. 6 able seamen	6 0 0 2 2 0 8 8 0	78 0 0 27 0 0 100 4 0	do	Sailed for Otaheite, November the 8th, 1801, for salt pork.
Francis ..	Schooner ..	40	Came in frame from England, per Pitt, in March, 1798.	Master .. Chief mate 2nd do 5 able seamen	4 0 0 2 5 0 2 5 0 7 0 0	62 0 0 29 5 0 29 5 0 91 0 0	do	Has been very actively employed, in going between Port Jackson and Norfolk Island, bringing grain from Hawkesbury, and coals from Hunter's River; now gone to Norfolk Island.
Cumberland ..	Schooner ..	26	Sydney, 1801	Master .. Mate .. 3 able seamen	15 10 0 4 0 0 2 5 0 4 4 0	301 10 0 52 0 0 29 5 0 54 12 0	do	Bringing grain from Hawkesbury.
Bee ..	Sloop ..	11	Long boat, decked ..	Master and 3 men who receive an extra ration from stores.	10 9 0	135 17 0	do	A very useful vessel for bringing grain, &c. from the different settlements, and many other very useful public purposes.
Long boats } Pinnaces } Small boats } Large flat }	.....	..	Very old ..	.....	.....	.....	Constantly repairing.	Variously employed in the Harbour.

Vessels Building.—Portland, brig, 100 tons, in frame; no shipwrights to work on her. Integrity, sloop, 45 tons. Two boats.

PHILIP GIDLEY KING.

1802
9 Nov.
The Colonial navy.

1802

GOVERNMENT AND GENERAL ORDER.

11 Nov.

11th November, 1802

Salt provisions.

THE proportion of salt beef to salt pork being very inconsiderable, the Commissary is directed to continue the issue of salt pork till further orders.

The Commissary is directed to issue the Treasury ration of sugar to the civil and military who receive that ration, agreeable to the Orders of 22nd October.*

The Commanding Officer of the New South Wales Corps will inform the Governor whenever the non-commissioned officers and privates may wish to receive sugar as part of their compleat ration.

The Volunteer Associations.

The pressure of the public service having prevented the associations being re-embodied agreeable to the Governor's instructions on that behalf, as pointed out by the Orders of 22nd October, giving out the arms, accoutrements, and clothing is deferred till after harvest.

PHILIP GIDLEY KING.

LIEUTENANT-COLONEL PATERSON TO SECRETARY SULLIVAN†

Sydney Cove, Port Jackson,

12 Nov.

12th November, 1802

Governor King and Lieutenant-Colonel Paterson.

Dear Sir,

From the many unpleasant circumstances which lately occurred in this colony, and which you will no doubt be acquainted with from Governor King, and as I have every reason to suppose that the cause of the misunderstanding between that gentleman and myself will be represented in such a manner to vindicate his own conduct and to criminate mine, I have taken the liberty to enclose you a copy of the correspondence‡ that has taken place between us in consequence of expressions made use of by some of the officers under my command, which never was, I am well persuaded, intended to occasion the serious consequences which he, in the most illiberal manner, alludes to in his letters. As the accompanying documents will speak for themselves, it is unnecessary for me to make observations respecting any danger to be apprehended, except from his own General Orders, wherein he treats the military with so much contempt, particularly in discharging his guard and appointing convicts in their room, who are now parading the streets in military dress.§ How far this might have affected the peace of the regiment at that moment to me was doubtful, and his likewise giving Colonial rank as Lieut. of Artillery to a person who is under the sentence of the law||; but, much to my satisfaction, there was not a murmur, nor will there ever be while I have the honor to command them.

Convicts in military dress.

* Ante, p. 861.

† A private letter.

‡ As this correspondence was forwarded Home by Governor King with his letter of 9th November, 1802, ante, p. 894, it is not repeated.

§ Ante, p. 852.

|| Lieutenant Bellasis.

I have the pleasure to
 this difference happens
 short excursions to France
 had been before and had
 beautiful Plants. I
 by the first direct conveyance
 today was with a
 will revisit those places
 As Mr. Thompson takes
 I have only sent you the
 I think they are seeds which
 may I beg my respects

Yours
 Dear

inform you that before
 ed, I had made several
 of the Country where I have
 collected many new and
 half send you Specimens
 some.

me and I have requested he
 again in the said time
 his passage in the Netherland.
 the accompanying parcel
 which you have not yet
 to the Ladies M. D. Gordon

C
 11
 11

Your most Obedt.

W. H. P. L. Servant

W. H. P. L. —

I can assure you that there is not a regiment in His Majesty's service in a better state of discipline than the New South Wales Corps, and I may say with confidence there are few troops that would have bore, with equal steadiness, the repeated insults that both officers and men have met with of late from His Excellency Governor King, and I believe he is much disappointed that he has not in any instance affected the good order and regularity of the Corps, and I hope that no representation from him can make any unfavourable impression to injure either officers or men.

1893

12 Nov.

The New South Wales Corps.

As I have frequently been under the disagreeable necessity of making representations to His Royal Highness the Duke of York, in consequence of Governor King's conduct to the military, in this instance I consider his attack in such a light that I should conceive it an intrusion to make any official representation on the subject, but should it be wanted I have transmitted the whole to General Grose.

King and the military.

I hope Lord Hobart will see how far the Governor has acted with candor to me in this instance, as he accuses me in having overheard a conversation which might tend to affect the tranquillity of the Government, and refuses me the satisfaction of proving to the contrary by not allowing me to assemble the civil and military officers that I might have their testimonials that the assertions were false and ill-founded. I must also observe that his letter of the 4th October was written two days before I was made acquainted with the circumstance of my having been accused, nor did I know of what had pass'd respecting Captain Kemp, as I was absent from head quarters at the time.

An accusation against Paterson.

Why Governor King could have acted in this manner is unaccountable to me, at a time when he professed the greatest friendship.

The relations between King and Paterson.

I hope, after the perusal of the correspondence between Governor King and me, that His Lordship will approve of my conduct in the steps I have taken, and will judge how far I deserve the treatment I have been under the necessity of submitting to.

I must now beg to observe that in consequence of my commission as L't Gov'r not having been received by my agents, it has been the cause of putting me to much inconvenience. As they have never received any part of my pay they could not send me the few comforts which is so much wanted in this country, and which has occasioned my expences to be much greater than they otherwise would have been.

Paterson's Commission as Lieut.-Governor.

I hope you will see no impropriety of my requesting you to state to Lord Hobart that it requires great œconomy to live upon my pay, from the exorbitant price of everything in this country. Any assistance you and my friends can give in getting my salary augmented will be gratefully acknowledged.

His payments.

1802

12 Nov.

I beg my respects to Lady Louisa. I shall do myself the honor of sending her some of the productions of this country by the first direct conveyance. I also request my respects to Mr. Richard Sullivan, General Forbes, and their families. In the hopes you will pardon this intrusion.

I am, &c.,

W. PATERSON.

GOVERNMENT AND GENERAL ORDER.

13 Nov.

Soldiers' children.

13th November, 1802.

In addition to the five families to each company of the New South Wales Corps victualled from His Majesty's stores at the public expense, as a further indulgence the Governor has directed the Commissary to give a ration (according to the age) to the eldest children of each family not victualled from the stores, where the number of children exceeds two.

The Commanding Officer is requested to furnish the Governor with a list of the families victualled in consequence of the Orders of the 22nd and 23rd ultimo, and the addition made thereto by the Order of this day.

PHILIP GIDLEY KING.

UNDER-SECRETARY SULLIVAN TO EX-GOVERNOR HUNTER.

Sir,

Downing-street, 13th November, 1802.

A pension for Hunter.

I have great pleasure in communicating to you, by Lord Hobart's commands, His Majesty's gracious intention of granting to you, in consideration of your services as Governor of New South Wales, a pension of £300 per annum,* the payment of which will be provided for in the next estimate submitted to Parliament for defraying the expence of the establishment of New South Wales.

I have, &c.,

JOHN SULLIVAN.

GOVERNMENT AND GENERAL ORDER.

14 Nov.

Guard boat for French ships.

14th November, 1802.

A GUARD boat with three privates to row guard round the French ships until their departure. The first boat to go off at sunset from His Majesty's ship Buffalo, to row until ten o'clock; the red cutter to go from Government wharf at ten o'clock to relieve the Buffalo's boat; the red cutter to be relieved by Mr. Harris's boat at two o'clock; and in that succession until the French ships leave the port. In the two latter boats three privates are to be sent. Their orders are not to suffer any other then the French ships' boats to approach. Any boat or canoe attempting it to be stopped and brought up when the boat returns from the relief.

PHILIP GIDLEY KING.

* Ante, pp. 742, 821, 847, 852, 854.

GOVERNOR KING TO LORD HOBART.

1802

Sydney, New South Wales,

My Lord,

15th November, 1802.

15 Nov.

The French ships being detained until this date by contrary winds enables me further to inform your Lordship that Mr. Bass arrived here with the *Venus* the 14th inst., from Otaheite, with 57 tons of salted pork. By a reference to my letter, No. 5,* to the Duke of Portland, your Lordship will observe the contract entered into with Mr. Bass to bring pork here at 6d. per lb. Had not the late supplies arrived from England we should have been destitute now of salt meat, and of course must have had recourse to stock; that misfortune the arrival of this vessel would have prevented. I therefore feel it incumbent on me to comply with the terms of the contract—to receive all that he cannot dispose of to individuals, at 6d. per lb. What that quantity will be, or the condition it is in, I am unable to say at present, as the *Venus* is but just arrived, and the French ships on the point of sailing.

Bass in the *Venus*.

The supply of salt meat.

By that vessel I received the information contained in the enclosures from the *Porpoise* and *Norfolk*, brig.† The loss of the latter I cannot but regret. However, as no means have been left untried by me to attain the grand object of reducing the expences of the colony, had not a hurricane thwarted my measures we should have had the vessel as well as the cargo of salt pork she had procured. The latter comes by the *Porpoise*, but the former is irrecoverable. The *Porpoise* was procuring a cargo, which there is little doubt of her completing. She may return previous to the whaler's departure, when I shall state the quantity of salt pork received by that ship, and the quantity purchased from Mr. Bass, both which supplies will save a great expence.

Wreck of the *Norfolk*.

By the *Venus* I have received a journal of the transactions at Otaheite. As it contains matter of public curiosity, I shall do myself the honor of transcribing and forwarding it by the Greenwich, whaler.

Bass's journal.

I have, &c.,

PHILIP GIDLEY KING.

CAPTAIN WOODRIF TO SECRETARY NEPEAN

His Majesty's ship *Calcutta*, Chatham,

Sir,

16th November, 1802.

16 Nov.

I shall be thankful to obtain information as soon as conveniently may be of the port at which it may be intended that the convicts should embark, as also their numbers, for though the ship is yet in a backward state of equipment, I am anxious that

Convicts for the *Calcutta*.

* See the text of this agreement, ante, p. 501.

† The enclosure is not available. It may be presumed it was an account of the wreck of the *Norfolk*.

1802

16 Nov.

Passengers
and stores.

she should be completely stowed, so that not any time may be lost after I have received the prisoners on board to proceed on the voyage.

It may also be necessary that I should know the number of passengers who may be going out as settlers, as also the quantity of Colonial stores; and further, whatever persons or baggage or stores may be intended to be embarked on board the *Calcutta*, the same may be received under the authority of their Lordships orders, communicated by your letters. As I cannot determine what quantity of ballast is necessary for the *Calcutta*, nor proceed to stow the hold, &c., until I am informed of the quantity of stores she is to receive for the colony, with submission to their Lordships, I am of opinion the sooner I receive this information the better.

I have, &c.,

D. WOODRIF.

GOVERNMENT AND GENERAL ORDER.

16th November, 1802.

Salt pork
from
Otaheite.

To enable individuals cultivating grounds, and who have servants to provide for, to supply themselves with some salt pork for their domestic use alone, and not to sell again, the Governor has allowed Mr. George Bass, who has brought a cargo of salt pork from the Society Islands on contract with the Crown, to sell such quantities as individuals may need for the use of their farm and servants until next Monday, when the remainder will be taken into the store agreeable to the contract.

PHILIP GIDLEY KING.

LORD HOBART TO THE TREASURY.

17 Nov.

My Lords,

Downing-street, 17th November, 1802.

Payments to
Lieutenant
Grant.

It having been represented to me that Lieutenant Grant, late commander of the Colonial brig *Lady Nelson*, has sustained a loss of £14 19s. 3d. during the eight months he was employed in her by the Governor of New South Wales, arising from the difference between the Colonial pay which he received and the pay to which he was entitled by his rank, having been nominated to the command of the *Supply*, armed ship, but which was not at that time fit for service, I am to desire that your Lordships will be pleased to receive the King's pleasure for issuing to Mr. Grant the sum of £14 19s. 3d. net, to make good the loss he appears to have thus sustained, together with the sum of £70 net, to reimburse the expence he incurred for his passage from New South Wales to this country upon resigning the command of the *Lady Nelson*.

I have, &c.,

HOBART.

GOVERNOR KING TO LORD HOBART.

1802

My Lord, Sydney, N. S. Wales, 17th November, 1802.

17 Nov.

I had the honor of receiving your Lordship's letter respecting Mr. Thomas Jamison being considered as next in succession on the medical staff of this colony to the present Surgeon-General, Mr. Balmain.

As Mr. James Thompson had applied some time past to go to England to arrange some private affairs as well as to restore him to health, having some time past laboured under an asthmatic complaint, I took on myself to grant him that liberty on Mr. Thomas Jamison's return. Surgeon Jamison.

It was intended he should have gone by a whaler, but as he was disappointed by the ship not calling here, he has taken his passage in the *Naturaliste*; and as I have charged that gentleman with my dispatches to your Lordship, I beg leave to mention him as well qualified to give you every information your Lordship may require and which a twelve years' residence as Staff Surgeon will enable him to give.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

19th November, 1802.

19 Nov.

THE Governor considers it necessary to warn those prisoners of their folly who may attempt to escape before their terms of transportation are expired.* Convicts attempt to escape.

Forty prisoners who made that attempt by the French ships have been put on shore again, of whom several are sentenced to a very just punishment by the magistrates.

As the Governor has uniformly made it a practice to send lists of those who escape to the sheriffs of the counties they were tried in, as well as to the chief magistrates of each metropolis in the three kingdoms, there can be little doubt but those who escape before their terms are expired will expiate their folly with their lives.

Those who are detected in such practices in future will not be excused receiving the full punishment that may be awarded; and a list will be kept of those who have recently made that attempt, as well as of those who may in future, which will exclude them from either indulgence or favor which is alone due to the industrious and deserving. Those retaken to be punished.

It is hoped that the lenient example of only two being punished out of the number that have been sentenced will prevent any future attempts of that kind, as no pardon will hereafter be extended to any who may make those attempts. Motives of humanity alone, and the Governor's wish to prevent those ill-advised from similar No hope of a pardon.

* Ante, pp. 864 and 865.

1802

16 Nov.

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* Ante, pp. 864 and 865.

- 1803 destructive proceedings, renders necessary the punishment of those who have attempted to mislead themselves and others by taking away Government boats.
- 19 Nov. The Lord Lieutenant of Ireland having requested the Governor to allow the Revd. Mr. O'Neil* and Patrick Miles, *alias* Miers, to return to Europe, if their conduct has been proper, His Excellency has given that permission.
- Irish convicts emancipated
- Penalty for placing convicts on ships. It is to be clearly understood that any boat whatever in the act of carrying, or if proved they ever have carried, any prisoner or other person on board a vessel at any time without permission from a magistrate during the vessel's stay here or from the Governor or officer in command, after a week's previous notice is given before the ship's departure, such boat will be seized, and the proprietor forfeit £5 to the Orphan House.
- Registration of boats. The Naval Officer's clerk will attend every day between 10 and 12 o'clock at the wharfinger's to register all the boats belonging to individuals, including every boat in this settlement. The proprietors of such boats as are already numbered and registered will give in their names and numbers on or before the 24th inst., and the others as soon as possible that their number may be given.
- Any boat found after the 30th inst. without being registered and numbered on the stern will be seized and forfeited to the Orphan House.
- PHILIP GIDLEY KING.

GOVERNOR KING TO CHARLES ROBBINS.†

Instructions.

- 22 Nov. 22nd November, 1802.
- Robbins on the Cumberland. You are hereby required and directed to embark on board His Majesty's Colonial vessel Cumberland, whose master has my orders to receive you and follow your directions on the service you are about to perform.
- In the same vessel will be embarked the Surveyor-General of this territory and the people as p'r margin.‡
- To proceed to King Island. You will proceed without loss of time to King's Island, at the west entrance of Basses Straits. The east side from Point Farewell to Seal Bay having been surveyed by the Lady Nelson, you need not loose time in surveying that part unless any material error should appear, which you will note. The depth of water and entrance into the lagoon that has been seen on the east side is an object to ascertain how far a small vessel might go in and lye in safety. Should the wind prevail at west, you will find Elephant Bay a good roadstead from whence you may make such excursions into the island as will not prevent you from rejoining the vessel
- The island and its coast to be examined.

* The Rev. Peter O'Neil was at this time located at Norfolk Island.

† Master's mate on H.M.S. Buffalo, acting as Lieutenant of His Majesty's armed Colonial marine.

‡ Mr. Chas. Grimes, Acting Surveyor-General, a surgeon, a gardener, and three marines belonging to His Majesty's ship Buffalo—in all, seventeen persons including the crew.

again in case of the appearance of a change of wind. As New Year's Harbour is the safest anchorage for the vessel in all winds, that place is to be preferred for her to lye in, while you, with the surveyor, surgeon, and gardner, proceed to explore the interior and coasts of King's Island. In executing that service you will pay particular attention to the face of the country, wherever it is hilly, plain, or swampy; the nature and depth of the soil, noting such parts, and the apparent quantities of ground which are capable of cultivation or grazing to advantage; also fresh water in streams, springs, ponds, or lagoons; the quantity, quality, and size of the timber growing on the island; and what part of the coasts appear accessible to boats. You will also observe the best situation for settlements, in which you will have a view to the commercial advantages, access of vessels, obtaining fresh water, and its defence. You will also observe where settlers can be advantageously placed, and finally make such general daily observations as may guide my judgement in the most proper places to establish settlements, committing all your observations to writing, and noting the above objects on the charts you are provided with.

1802

22 Nov.

Features of
the country
to be noted.A site for a
settlement.

You will, with the assistance of the surgeon and gardner, collect and bring small samples of all stones, timber, plants, &c., you may find on different parts of the island. With this object you will proceed to Port Phillip (Capt. Flinders's and Lieut. Murray's surveys of which you are provided with), and proceed to the most minute investigation of that spacious harbour, the unsurveyed part of which you will determine as well as possible, noticing the depth of water and shoals throughout, particularly all the parts that have not been sounded or surveyed by the above officers, making every remark and observation on the land and interior as pointed out in the preceeding part of these orders respecting King's Island. Should a continuance of foul winds oblige you to put into Western Port, you will make similar observations on the land about that harbour.

Port Phillip
to be
examined.

On leaving Port Phillip you will endeavour to take advantage of the wind and weather to examine the unsurveyed part between that port and Cape Albany Otway, ascertaining the exact latitude, and, if circumstances should allow, to determine the longitude as near as possible of that promontory.

Examina-
tion of the
south coast.

As circumstances may occur to prevent your executing those orders to their full extent and meaning, you will in that, as well as in most other cases, consult with the Surveyor-General,* Mr. Rushwith, and Mr. McCallum, at the same time using your own discretion; and as you will act in conjunction with the Surveyor-General, you will cause every assistance to be given him for executing the instructions he is furnished with, and of which you are provided with a copy.

The
Surveyor-
General to
be con-
sulted.

* Mr. Charles Grimes.

1802 In the execution of these instructions you will observe the
22 Nov. directions contained in my separate order of this date.

Having performed this service in as complete a manner as possible, you will return here without loss of time, where I shall expect you the beginning of March.

A daily
journal to be
kept.

You will keep a minute and correct daily journal of your proceedings, and on your arrival you will exact from every person on board the vessel the journal and observations, charts, &c., they have made on the voyage, as well as all objects of natural history which they may have collected, taking care that their journals and observations are sealed up when delivered by them to you, all which you will deliver to me for the information of His Majesty's Ministers. For all which this shall be your authority.

PHILIP GIDLEY KING.

CAPTAIN WOODRIF TO SECRETARY NEPEAN.

Sir, Calcutta, Chatham, 22nd November, 1802.

Nautical
instruments
for the
Calcutta.

Presuming it has been customary when His Majesty's ships are destined on similar voyages to that on which His Majesty's ship under my command is now bound, that extra nautical instruments and charts are supplied to the commander, permit me to request you will be pleased to move their Lordships to direct such to be supplied me as in their judgment may appear (for the greater safety of His Majesty's ship) necessary and proper on this occasion. And further, as it is possible that the Calcutta may be detached to some distant port to procure and load timber where she could not receive that assistance from the colony as if loading in or near Port Jackson, permit me also to request you will be pleased to submit to their Lordships the propriety of my being supplied with the under-mentioned articles, that in case of detached service appear to me absolutely necessary, viz :—

Implements for procur- ing timber	Timber measures	...	...	...	...	1
	Iron can nippers	...	...	...	...	3 pair
	Iron dogs, for getting the timber into the raft, port, &c.	...	...	...	...	12 in No.
	Iron dog hooks for steadying the timber when hewing or sawing	...	...	...	...	12 pair
	Handspikes with an iron claw lever for the easier canting the timber in the hold	...	...	...	...	12 in No.
	Wood axes, of the best heavy-headed sort	...	...	...	...	200 "
	Iron squares, with the inches marked	...	...	...	...	6 "
	Cross-cut saws, with sufficient files	...	...	...	...	24 "
	Grindstones	...	...	...	...	12 "
	Iron wedges and mallets	...	...	...	...	20 "
	Pocket compasses	...	...	...	...	2 "

or such part thereof as they may judge proper.

I have, &c.,
D. WOODRIF.

GOVERNMENT AND GENERAL ORDER.

1802

23rd November, 1802.

23 Nov.

THERE being great reason to believe that the work of Gov't stone-masons is greatly appropriated by the workmen to the benefit of their individual employers, no other masons but those belonging to Gov't are to work at the stone quarry behind the windmill in Cockle Bay, nor is any stone to be removed from thence but by those employed by Government.

The Government
quarry.

PHILIP GIDLEY KING.

COMMANDER FLINDERS TO MESSRS. AKEN AND MART.

His Majesty's sloop Investigator,*

24th November, 1802.

24 Nov.

HIS MAJESTY'S sloop under my command having been very leaky for some time past, I judged it necessary that she should undergo a thorough caulking, from the copper upwards to the cells of the ports. In doing this some of the planks were found to be rotten, and, on ripping off some of the worst parts, several timbers, &c., were found to be in the same state.

The Investi-
gator leaky.

You are, therefore, hereby required and directed to make such an examination into all the material parts of the ship as can be done without delaying the service in which the Investigator is now engaged, and to report to me from under your hands your proceedings and observations hereon.

An examina-
tion to be
held by
officers.

Further, as I understand that Mr. Aken has commanded a ship whose situation was somewhat similar to that of the Investigator, you are therefore directed, in case you should find much decay in the timbers or other material parts, jointly to state your opinions upon the following heads, and this is to be done upon due consideration :

- 1st. Whether or not the ship is fit to encounter bad weather.
- 2nd. Whether getting on shore is likely to be attended with worse consequences to the Investigator than to a sound ship.
- 3rd. Whether, in case any accident happening, the ship would bear heaving down, or whether laying her ashore would do her much injury.
- 4th. How long the ship may be fit to run with safety to the crew, provided she is in fine weather, and no misfortune of getting on shore should happen.

Questions to
be answered.

How long
will ship run
with safety?

* The Investigator at this time was lying at anchor under Sweers' Island, in the Gulf of Carpentaria. John Aken was the master and Russel Mart the carpenter. Their report will be found in Flinders's *Terra Australis*, vol. ii, p. 141. In reply to Flinders's four questions they answered—1st. That the ship was totally unfit to encounter much bad weather. 2nd. That if she went ashore under unfavourable circumstances she would immediately go to pieces. 3rd. That she would not bear heaving down, and it would be unsafe to lay her ashore. 4th. That with fine weather and no accident she might run six months longer without much risk.

1802 In the above examination I recommend to you to take with
 24 Nov. you the most experienced of the carpenters' mates, and to hear
 his opinion upon such points as you may think necessary.
 Given, &c., MATTW. FLINDERS.

GOVERNMENT AND GENERAL ORDER.

28 Nov. 28th November, 1802.
 Captain Kent. HIS EXCELLENCY has been pleased to appoint Capt. William Keat
 of the Royal Navy, to act as a magistrate throughout the limits of
 this territory and its dependencies.
 Fraudulent measurement of wheat. It having been discovered that some of the strikes used in the
 measuring wheat have occasioned very great loss to the growers,
 to prevent such fraudulent practices than those made and stamped
 by the superintending carpenters at Sydney and Parramatta, are
 to be used throughout the colony, and for which the carpenters
 are allowed to make a charge of one shilling for each. Any person
 having strikes in their possession not made by and marked as above,
 will, on conviction before a magistrate, forfeit £5 and one shilling
 for each bushel of wheat or maize that can be proved to have been
 used in measuring grain. This order to be in full force after the
 5th December next.
 Official business. During the Governor's occasional absence from Sydney,* all
 requests are to be delivered at the Secretary's office on Monday,
 as usual, which will be forwarded to the Governor for his appro-
 bation or rejection. PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

6 Dec. 6th December, 1802.
 Complaints concerning rations. WHENEVER there appears cause for complaining of the quality of
 any part of the ration under issue, that complaint is to be made
 by the quarter-master at Sydney and the non-commissioned officer
 who attends the issue at the outposts to the Commanding Officers
 respectively, who will inspect it himself, and if he conceives there
 is any, or the least cause, he will not lose a moment in reporting
 it to the Commander-in-Chief, who will ever consider it his bounden
 duty to cause all such complaints as are made in a regular and
 orderly manner to be immediately investigated, and grant full
 redress, as it is by no means the interest of Government to receive
 or issue bad provisions. This being the regular mode throughout
 His Majesty's service, the Governor hopes that this information
 will prevent a repetition of the improper refusals of the rations by
 the military which have taken place lately.
 The military refuse their ration.

The wheat grown by Government and furnished by individuals
 will be the first for issue, and when a sufficiency is not in the store

* The Governor at the date of this General Order was residing at the Government House, Parramatta.

the military will be issued flour in preference to any other description of persons, except those who are victualled at the outposts, where there is not a possibility of grinding the grain. 1802
6 Dec.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

8th December, 1802.

8 Dec.

WHEN there is a sufficiency of wheat in the store to issue, which cannot be ground, the Commissary and his deputies are directed to require of the Commanding Officer of the Corps or of detachments, the quarter-master or a sergeant, to see the ration of wheat ground and sifted on Fridays, that a sufficient addition may be made to the quantity of wheat to make the complete ration of flour. The ration of wheat.

The Commanding Officer of the Corps will direct the Commanding Officers of detachments situated between head-quarters of the Corps and the Commander-in-Chief, to make the most expeditious reports to him of every public occurrence relative to their command, or in which the interest or hindrance of His Majesty's service is concerned, and which does not relate to the detail of the Corps or detachment. Military reports to be made to Governor.

The service requiring an escort of a corporal and two privates being sent with the provision cart from Parramatta to the mountain depôt, Lieut.-Col. Paterson is requested to order that party to be in readiness to go to-morrow morning from the Parramatta detachment. The corporal is to be directed to obey Ensign Barrallier's directions either for remaining at the depôt or returning with the cart. They are to take four days' provisions from next Saturday, which the Parramatta storekeeper is ordered to issue. An escort for Barrallier's provision cart.

PHILIP GIDLEY KING.

PUBLIC NOTICE.

Sydney, New South Wales,

10th December, 1802.

10 Dec.

THE Governor being anxious to place the acquirement of stock within the reach of the industrious, independent settler, the following premiums are fixed on for the year 1803:— Premiums for settlers.

The arrangement of the districts now settled being nearly alike in soil and local situation, such settlers living on and cultivating their farms (who are independent of any assistance or appointment whatever from Government), wishing to become candidates for the following premiums, will give their names to the Reverend Mr. Marsden, at Parramatta, and T. Arndell, Esq., at Hawkesbury, on or before the first day of January, 1803, for the Governor's approval.

Arrangement of Districts.

Districts.

Section I.—Liberty Plains, Concord, Bulanaming, Petersham, Sydney, and Parramatta.

1802

10 Dec.

Section II.—Eastern Farms, Field of Mars, Ponds, Northern Boundary, Kissing Point, Toongabbee, Baulkham Hills, and Seven Hills.

Section III.—Prospect.

Section IV.—George's River.

Section V.—Richmond Hill.

Section VI.—Hawkesbury throughout.

Prizes for
wheat and
maize.

Agricultural Premiums.

First, for 20 acres of wheat and 30 acres of maize, of forward crop, in the best and highest state of cultivation, cleanest, and clearest of weeds, &c., 2 heifers and 2 ewes; second, for 15 acres of wheat and 20 of maize, ditto, ditto, 1 heifer; third, for 10 acres of wheat and 15 of maize, ditto, ditto, 2 ewes.

The candidates' claims to be examined a month before the wheat harvest, and a month before the corn is pulled. The inspectors to be admitted at all times by the candidates.

The prizes will be adjudged to three successful candidates of each section, on the first Monday in April, 1804.

Prizes for
cultivation
of land.

Three prizes will also be decreed to the three settlers (as above) in all the districts, whose land is in the highest and best state of cultivation, and who have the best and most comfortable dwelling and out-houses, viz.:—To the first, 2 steers; to the second best, 1 ditto; and to the third best, 2 ewes. To be adjudged on the first Monday in April, 1804.

Prizes for
breeding
swine.

Premiums for Stock.

To those who breed the greatest quantity of swine, and return not less than 4,000 lb. at 6d. per lb. into the store, from March 1st to August 1st, 1803, one heifer and one ewe; to the second best, returning not less than 3,000 lb., three ewes; to the third best, returning not less than 2,000 lb., one ewe and one lamb. To be adjudged on the first Monday in August, 1803.

If it be proved that a candidate has received the least assistance from any person, in consideration of having a part of the adjudged premiums, or for any other recompense or reward, the claim of such candidate will be rejected.

The heifers and steers are to be of the Cape breed, or one remove from the Bengal, and 2 yrs. old.

The stock thus adjudged to be subject to the restrictions and regulations pointed out by the General Orders of the 31st of July, 1802.*

By command,

W. N. CHAPMAN,
Secretary.

SIR CHARLES MORGAN TO GOVERNOR KING. (King Papers.) 1802

Judge-Advocate General's Office,

Sir,

11th December, 1802.

11 Dec.

Having had the honor of laying before the King the proceedings of a General Court-Martial held at Sydney, in New South Wales, on the 11th day of January, 1802, upon the trial of Ensign Nicholas Bayly,* of the New South Wales Corps, who was charged with and found guilty of "disobeying an order of Lieutenant-Colonel William Paterson, of the same Corps, in refusing to attend a meeting of the civil and military officers of the colony, at the Lieutenant-Governor's, on Sunday, the 3rd January, 1802," and was adjudged to be reprimanded by the Commander-in-Chief of the territory,—I am commanded to acquaint you that His Majesty has thought fit to confirm this lenient sentence of the Court-Martial.

The Court-Martial on Ensign Bayly.

Confirmation of the sentence.

I have also had the honor of submitting to His Majesty the proceedings of a General Court-Martial held on the 3rd day of February, 1802, upon the trial of the same officer, Ensign Nicholas Bayly, charged with "disobedience of General Orders of the 26th December, 1800, by repeatedly beating and horse-whipping his convict servant, J—— H——, particularly on Friday, the 22nd January, 1802, which every officer and other person was strictly forbidden to do by the said order," upon which charge he (Ensign Bayly) was found guilty, and was adjudged to be suspended from rank and pay for the space of three calendar months,—and am by His Majesty's command to notify that His Majesty by no means considers the punishment awarded by the Court-Martial as more than adequate to the offence of which Ensign Bayly has been found guilty; but, having taken into his Royal consideration the very long period of painful suspense and uncertainty respecting the sentence of the Court-Martial which that officer will necessarily sustain, and perceiving that he is now become fully sensible of his misconduct, His Majesty is graciously pleased to remit the sentence, and to permit that he, Ensign Bayly, be restored to the function of his commission in the New South Wales Corps.

A second charge.

Beating a convict servant.

The sentence remitted.

I have, &c.,

CHAS. MORGAN.

SIR CHARLES MORGAN TO GOVERNOR KING. (King Papers.)

Judge-Advocate General's Office,

Sir,

11th December, 1802.

I have had the honor, in conformity to your desire, expressed in your letter of the 1st of March last, to submit to His Majesty the proceedings of a General Court-Martial, then lately held at Sydney, in New South Wales, upon the trial of Lieutenant John Piper† (having local rank of Captain) of the New South Wales Corps, charged with "having broken his word of honor,

The Court-Martial on Lieutenant Piper.

* Ante, pp. 676, 711, 726.

† Ante, pp. 711, 725.

1802
11 Dec.
The indictment.

highly derogatory to his character as a British officer bearing his Sovereign's commission, by taking advantage of General Orders of the 21st September, 1801, coming out of arrest and refusing to comply with the terms as stated in said Order, after having pledged his word of honor so to do"; and also with "having disobeyed the General Order of the 21st September, 1801," upon both of which charges he was acquitted ;—

Entitled to an acquittal.

A letter of apology.

Piper's conduct.

And I have it in command to acquaint you that the Court-Martial having, after a revision of the sentence, adhered to their opinion, Captain Piper is entitled to the benefit of that acquittal, nor does His Majesty entertain a doubt that their decision was the result of an impartial judgment ; but as the Court has not stated the ground upon which that decision was founded, the same is only to be collected from the evidence as set forth in the minutes, and His Majesty is thereby led to think that the acquittal has principally turned upon the manner in which a letter of apology from the prisoner had been received, coupled with the circumstance of his having afterwards been permitted to do duty in the regiment, from which two circumstances the Court-Martial has inferred that the offence for which Captain Piper was put upon his trial had been passed over and done away, and His Majesty is the rather inclined to ascribe the determination of the Court to that motive, and considers it proper that it should so be understood, because there seems to be very little doubt upon the whole that a part of Captain Piper's conduct was open to blame, nor did the line of defence which he adopted seem calculated to help his cause, inasmuch as he appears to have been not more solicitous to defend his own conduct than to arraign that of the prosecutor, his Commanding Officer, who had laudably exerted himself for preventing duelling and for preserving the peace, which in one instance had already been violated.

His Majesty, without directing that those sentiments be declared in Public Orders, thinks it, however, proper that they be communicated to all the military officers serving within the colony under your command.

I have, &c.,

CHAS. MORGAN.

SURGEON BALMAIN TO UNDER-SECRETARY SULLIVAN.

No. 1, Manch'r Buildings, Westminster,

16th December, 1802.

16 Dec.

Sir,

Balmain
ordered to
return to
the colony.

I have the honor to acknowledge the receipt of your letter of yesterday's date, containing Lord Hobart's commands that I should prepare to return to my duty in New South Wales by His Majesty's ship the *Calcutta*, and that it is intended she shall sail for that territory about the latter end of this month.

May I beg your indulgence to state that, circumstanced as I am at present, my departure from this country at so short a period would tend to involve me in the most serious difficulties. My private affairs, tho' comparatively small, are at this time in a very unsettled state, and I have also engagements of a family nature which I cannot take the liberty to mention here; but they are certainly such as if known to His Lordship would induce him to grant me a further extension of leave of absence.

1802

16 Dec.

Hed desires an extension of leave.

I was embarked on the expedition to New South Wales in the year 1786, and have been constantly engaged in that service untill my arrival in this country in March last.

His services.

Governor King freely granted me twelve months' leave after my return, and promised me he would on no account oppose any additional indulgence you might be pleased to favour me with.

Leave granted by King.

Permit me then, with submission, to entreat that His Lordship will be pleased to suspend the effect of his order untill such time as my private affairs are brought to a more settled state, the which I shall use every exertion to effect with all possible dispatch.

I have, &c.,

W. BALMAIN.

A RETURN of all Government Stock, December 19th, 1802.*

19 Dec.

Government live stock.

	Horned Cattle.					Horses.					Sheep.				
	Bulls.	Cows.	Bull Calves.	Cow Calves.	Oxen.	Horses.	Mares.	Filleys.	Colts.	Geldings.	Rams.	Ewes.	Wethers.	Ewe Lambs.	Wether Lambs.
Parramatta ..	6	222	116	106	41	2	21	7	7	2	4	498	231	173	158
Toongabbe ..	6	159	219	223	33	..	..	..	..	..	..	..	..	..	..
Castle Hill ..	1	12	117	93	..	..	..	..	..	..	..	..	..	..	..
Conner's Farm ..	1	18	7	7	..	..	..	..	..	..	..	..	..	..	..
Sydney ..	..	14	6	4	27	..	..	..	..	..	..	..	..	..	..
	14	425	465	433	101	2	21	7	7	2	4	498	231	173	158

JNO. JAMIESON, Super't of the Stock.

* On 31st December, 1802, the stock belonging to private individuals was :—

Cattle—

Male 183

Female 295

Horses—

Male 109

Female 147

Sheep—

Male 2,810

Female 4,778

Goats—

Male 344

Female 802

Swine—

Male 2,495

Female 2,788

1802

SURGEON BALMAIN TO UNDER-SECRETARY SULLIVAN.

No. 1, Manch'r Buildings,

20 Dec.

Sir,

20th December, 1802.

Surgeon
Balmain

Of all evils that can befall me, there are few that I have more reason to dread than that of incurring your own or my Lord Hobart's displeasure, and I have only to hope that the nature of my application will in some measure plead its own excuse.

Interviews
Sir Joseph
Banks.

Since I had the honor of receiving your last letter I have seen Sir Joseph Banks, who is pleased to say he considers my services in New South Wales as very meritorious, and desires me to assure Lord Hobart that nothing but very ill health and lameness prevents him from waiting upon His Lordship to request he may give a favorable ear to my petition, and in this he is also joined by Dr. Garthshore, who will use his endeavours to gain such influence as may reach yourself on my account.

Sir Joseph
indisposed.

Sir Joseph desires me to lay the inclosed memorial before Lord Hobart, which he would have presented himself but for the reasons above stated, but will take the earliest opportunity of seeing His Lordship after his present indisposition has abated.

Permit me earnestly to solicit the favor of your aid in my behalf.

I have, &c.,

W. BALMAIN.

[Enclosure.]

MR. BALMAIN'S MEMORIAL.

20th December, 1802.

To the Right Hon'ble the Lord Hobart, His Majesty's Principal Secretary of State for the Colonies, &c.

The memorial of William Balmain, Surgeon to the territory of New South Wales,—

Humbly sheweth :—

That your memorialist was appointed assistant surgeon in October, 1786, and went out with Governor Phillip at the first settlement of the colony.

Balmain's
prospects in
the Navy.

That your memorialist was at that time in the Navy, which he entered into in the year 1780, and has good reason to believe he would have been placed upon the list of surgeons in that service at the armament of 1788, but by going to New South Wales lost all title to promotion or future benefit in that line, and was also precluded from engaging in any other service, where he might have acquired claims to a competent retirement.

Head
surgeon at
N. S. Wales.

That your memorialist succeeded Mr. John White as head surgeon to the territory, in August, 1796, who was permitted to retire from that service with an allowance of five shillings per day, and is, moreover, at this time surgeon to one of His Majesty's dock-yards.

That your memorialist, being indulged with leave of absence by Gov'r King, whose dispatches to your Lordship he was also charged with, found on his return to this country, in March last, all his friends from whom he could have derived any interest dead, or so dispersed as to be without his reach, and that a few indigent relations, some of whom are in want of his support, were almost the only persons he could claim acquaintance with.

1802

20 Dec.

His friends
in England.

That your memorialist is forty years of age, and would, in the event of his again going to serve in New South Wales, have the same melancholy prospect before him, namely, that of being unprovided for whenever he might wish to return Home, and that, too, at an advanced age, attended, perhaps, with infirmity, and, in all probability, not a friend alive to give him consolation.

His age and
prospects.

That your memorialist has subjoined true copies of two certificates of services performed in addition to those of his professional duty, which he humbly hopes will be materially favorable to him in your Lordship's consideration.*

Certificates
of service.

And, lastly, your memorialist humbly hopes that, for the reason above stated, and in consideration of his long and faithful services, your Lordship will permit him to retire from the service of New South Wales with such an allowance as your Lordship shall deem equal to his merits; and your memorialist will have reason to be ever grateful for your Lordship's justice and condescension, and has the honor to be, with perfect submission and respect,

Asking for a
retiring
allowance.

W. BALMAIN,

Surgeon to the territory of New South Wales.

CAPTAIN MACARTHUR TO LORD PELHAM.

No. 24, Castle-street, Leicester Square,

My Lord,

London, 21st December, 1802.

21 Dec.

I have the honor to report to your Lordship, in obedience to the order of Governor King (copy of which, No. 1, I have the honor to enclose),† my arrival in England from New South Wales. In that order your Lordship will see I was instructed to proceed to Bengal on the ship Hunter, and on my arrival there to report myself and await the orders of the Governor-General, who, I was informed, had been written to on the subject, and had been requested to cause me to be provided with a passage on the first of the Honourable Company's ships bound to England; but as I have been obliged to deviate from the route prescribed to me by

Macarthur
arrives in
London.His voyage
from
Sydney.

*The certificates were from Governor King. The services, other than professional, rendered by Balmain were as magistrate, Naval Officer, member and treasurer of the committee appointed to build the county gaol at Sydney, and Captain Commandant of the Loyal Associations.

†The enclosure will be found on p. 615, ante.

1802

21 Dec.

Misshap to
the Hunter.

Governor King, I take the liberty to acquaint your Lordship that the deviation was occasioned by the Hunter being dismasted of the Port of Amboyna, in consequence of which disaster her commander informed me, after the arrival of the ship in that port, that he had no expectation it would be possible soon to refit her again for sea, and at all events the delay would unavoidably be so great that the season for sailing to Bengal would be past, and therefore he should seek for a freight to some other port.

He takes his
passage in
an East
Indiaman,

Thus situated, and feeling from a sense of duty that it was incumbent on me to hasten to England with all possible despatch. I immediately engaged a passage on the Honourable Company's ship Princess Charlotte, and on that occasion I took the liberty to draw on the Right Honourable the Lords Commissioners of His Majesty's Treasury, a bill at ninety days' sight, dated at Amboyna the 10th of February, 1802, in favour of Benj'm Richardson, Esq., for £250 sterling, that being the sum established by the East India Company in their instructions to their commanders, for the passage from India of officers of my rank in the Army.*

and asks for
approval.

I respectfully hope your Lordship will be pleased to approve of this step, as what I have drawn for is less than my passage absolutely cost me; and as it is also in strict conformity to the desire expressed by Governor King in his letter to the Marquis Wellesley,† an open duplicate of which I was furnished with previous to my sailing from New South Wales, and of which I have the honor to enclose a copy (No. 2), for your Lordship's information.

Sent Home
under arrest.

I do not presume to trouble your Lordship at this time with observations on the circumstance of my being sent Home a prisoner, further than to say that I am perfectly prepared to refute the charges preferred against me by Governor King, and ready at any time to submit to your Lordship the clearest and most uncontrovertible proofs of my innocence.

I have, &c.,

JOHN MCARTHUR,
Capt., N. S. Wales Corps.

GOVERNMENT AND GENERAL ORDER.

21st December, 1802.

The return
of pros-
perity.

FROM the information the Governor has received and his own observation, he is happy to find that the principle part of the settlers are recovering from the state of debt and dependance they so long have been in; and to enable them to persevere and free

* This bill was met by the Treasury, and instructions given that the amount be deducted from Macarthur's pay.

† See this letter, ante, p. 615.

themselves from the claims of their creditors, His Excellency has thought proper to continue the suspension of the Treasury Order, in consequence of which wheat, well cleaned, will continue to be received into His Majesty's stores at eight shillings per bushel, in such quantities as will not endanger its preservation. The days for receiving wheat into store are Fridays, and it is expected that the debts due to Government are the first paid.

1802

21 Dec.

Wheat
purchased
by Govern-
ment.

For the convenience of the settlers the Commissary is directed to purchase a quantity of salt from the Venus, brig, and to retail it to them at 2½d. per pound, in exchange for wheat put into the stores.

PHILIP GIDLEY KING.

DAVID COLLINS TO UNDER-SECRETARY SULLIVAN.*

SIR,

Beaumont-street, 24th December, 1802.

24 Dec.

I have the honour to inclose for your inspection a list of some of the articles which have occurred to me, and appear the most indispensably requisite in forming the new settlement.

The new
settlement
at Port
Phillip.

I beg leave to observe that of the two years' provisions there ought never to be less than *two-thirds* in store, as I think it would be hazarding too much to depend upon supplies from Sydney or Norfolk Island. The same holds good in respect of clothing, but that the provisions should be constantly (at least for a length of time) compleated to two years, appears to me a matter of the greatest moment. And, as everything that is expected to be done by the labouring people must depend in a great measure upon their health, I cannot too pointedly urge the necessity for their provisions and clothing being of the best quality, and the latter well put together. I am very desirous of avoiding the detriment to His Majesty's service and the injury to individuals which I have seen the consequence of a neglect of these two great essential points; indeed, considering the nature of the service, our tools of all kinds ought to be the best. I trust we shall have but little use for medicines; nevertheless the best and newest ought to be sent with us. I remember a large quantity arriving in New South Wales, which had been a voyage to the West Indies before it was destined for us. I hardly need add that when we came to use it it was tasteless and ineffectual.

Provisions.

Health of
the convicts.Importance
of good food
and
clothing.

I should imagine that lists of what was sent out with Governor Philip might be found in Lord Pelham's office. If a reference was made to these papers many articles which may be essentially necessary, and omitted in my list, may appear; and in proportioning

Equipment
of the first
fleet.

* This is the first reference in the Records to the equipment of the expedition to form a settlement on the south coast, of which Collins was the commander.

1802 the quantities to be sent with me you might be governed by what
 24 Dec. was sent with the first settlement, allowing for the difference of numbers.

I shall take the liberty of troubling you from time to time with such further circumstances as may occur to my recollection, and am, sir, at your orders whenever you may have any commands for me.

I have, &c.,

DAVID COLLINS.

Articles
 required.

ABSTRACT of articles furnished the detachment of marines that went to New South Wales in 1797.

1,183 check shirts.	384 pair soles and heels.
384 white do.	1 bundle leather, 112 lb.
576 pair hose.	Shoemaker's tools, &c., &c.
576 pair shoes.	Pipeclay.
1,728 pair trousers.	2,000 taylor's needles.
576 pair brushes.	12 gross black tape, for tying
100 clothes do.	the men's hair
576 black balls.	6 pair taylor's sheers.
288 heel do.	2 taylor's geese.
400 knapsacks.	1 gross do. thimbles.
576 gun hammers.	30 lb. brown } thread.
576 knives and forks.	30 lb. red }
576 spoons.	40 lb. white }
576 brushes and picturs.	Soap.
576 pair gaiters.	24 drum heads.
576 leather caps.	8 pair do. sticks.
200 routs.	24 setts snarea.
100 razors.	24 do. braces.
24 do. strops.	8 fives and cases.
200 pair shoe buckles.	8 do. slings and tassels.
200 do. knee do.	Blankets are a necessary article.
200 stocks and clasps.	Great coats also.

WM. PRATER & SON.

A LIST of some of the Articles which are indispensably requisite to the forming a New Establishment in New South Wales.

Two year's provisions of every specie, proportioned to the numbers and class of the persons going out. (N.B.—These to be of the best quality and of the latest pickle.)

Clothing for the servants of Government (the convicts) for the like time. These to be sent out ready-made.

Tools for
 mechanics.

Sets of Tools for Mechanics.

Blacksmiths.
 House carpenters.
 Joiners.
 Shipwrights.
 Brickmakers.

Bricklayers.
 Coopers.
 Shoemakers.
 Stonemasons.

An Assortment of Tools for Agricultural and other Purposes.

1802

Hoes for the field.	Mills (hand) for grinding corn.	24 Dec.
„ for the garden.	Grindstones.	—
Spades.	Window glass.	Tools for
Shovels.	Locks of different kind. These	agricultural-
Grubbing hoes.	for the public stores to be of	ista.
Pit saws.	the best quality and not to be	
Crosscut saws.	picked.	
Hand „	Materials for mending the cloth-	
Files for sharpening saws.	ing.	
Bill hooks.	Thread, &c.	
Pick axes.	Seines and seine twine.	
Mauls.	Coils of rope for purchases.	
Iron wedges for splitting timber.	Shot { Ball.	
Carpenters' broad axes.	{ Buck.	
Felling axes.	Gunpowder.	
Hatchets.	Some bricks, which may be sent	
Ploughs.	as ballast.	
Harness for ploughs.	Stationary.	
Iron potts or kettles.	Colours { A standard.	
Nails of the different kinds.	{ An union.	
Bar iron and steel.	Medecines.	
Some bolt iron and spike nails.	Miners' tools.	
Sickles.	Solder.	
Scythes for cutting down grain		
or graas.		

A vessel for the use of the settlement in its communication with the principal Government.

Some additional Articles requisite for the New Settlement.

Additional
articles.

Candles.	Oil for paint.
Oil.	A six-oared cutter.
Window glass.	A crane that will lift a bale of
Putty.	goods or a cask of provisions.
Sheet tin.	Two tumbrils.
Lead, pig and sheet.	A cart or two for moving grain.
Bushel measures, and others.	Hooks for cutting grass.
Scales and weights.	Scythe handles, the wooden work.
Steelyards.	Burrs (sandstone for sharp'ning
Platters.	scythes).
Bowls, wooden.	Some wheelbarrows.
Beads and glass, and other trifles	Iron crowbars.
as presents for the natives.	Thatchers' knives, a few.
Shoes for the convicts.	Lathrenders' tools.
Some waterproof for game killers.	Tommahawks, a few.
A few musquets.	A strong timber carriage.
Fishing lines and hooks.	A ship's copper or two, to cook
Some barrels of pitch and tar.	provisions.
A bell to assemble the people for	A few hempen sacks.
labour.	Wheat screens.
Paint.	Bolting cloths.

N.B.—It would be convenient if some of the hoes could be ground before they are shipped, and many tools would be saved to Government if they could be stamped with the broad arrow, or any other particular mark, by which they might be detected, if in the hands of people who had no right to them.

1802

A Bill of Printing Type.

24 Dec.
A printing
bill.

A small fount of pica roman letter of 80 lb. weight, in which is to be included twelve metal French rules of 3 and 4 m's. and six alphabets of two-line pica full face letters, except the letters A, E, R, T, of which there must be nine of a sort

£ s. d.

6 0 0

NOTE.—This small fount is only for doing jobs, and must consist of but a proportional quantity of lower-case sorts, capitals, small caps, a few figures, points, quadrata, spaces, &c., and no double letters or long f's are to be included in it, but a double quantity of round s's.

Twenty lb. of pica italic sorted as before-mentioned in lower-case sorts, caps, &c.

1 10 0

Forty lb. of double pica roman, sorted for working jobs as above, in which is to be included eight alphabets of italick caps., sorted as the two-line pica mentioned above, and fourteen of the lower case letters a, c, d, e, h, i, m, n, o, r, s, t, w, and eight of the rest of the alphabet

2 0 0

The figures of these founts are to be of the new cut as well as the caps. and small caps.

One dozen lengths of brass rule of the usual size, four of which are to be thick

0 5 0

One dozen skeins of thick and thin scabbard

0 3 0

Two dozen of good printing ink

2 8 0

£12 6 0

This type must be had from the founderies of either the late Messrs. Caslon or Mr. Figgins.

Paper for printing.

GOVERNMENT AND GENERAL ORDER.

25 Dec.

25th December, 1802.

A con-
demned man
pardoned.

FROM the length of time that has elapsed since any public executions have been rendered necessary, and the hopes the Governor had formed that the necessity of such dreadful examples would greatly decrease, and on which he trusts not to be deceived by the example afforded to the colony at large by the miserable feelings of the felon now under sentence of death, the return of auspicious events we are now commemorating, and some favourable circumstances being represented to His Excellency respecting the convict now under sentence, has induced him to extend His Majesty's mercy, by granting him a pardon conditional on his being transported to Norfolk Island for life. But on thus extending His Majesty's mercy to a culprit whose life ought to have atoned for the injury done to this colony, and to deter others from committing such crimes in future, it is clearly to be understood that no pardon will in future be extended to those hereafter convicted of sheep stealing or similar crimes tending to the destruction of public or private property, as well as the subsistence and future resources of this colony.

Sheep
stealing.

That part of the military relief ordered to Norfolk Island to be in readiness to embark on board the Lady Nelson to-morrow

morning, at daylight, if the wind and weather is favourable, of which the commander of the Lady Nelson will inform Lieut. Col. Paterson. 1802
25 Dec.

PHILIP GIDLEY KING.

CAPTAIN WOODRIFF TO SECRETARY NEPEAN.

Sir, 26 Dec.
Calcutta, Chatham, 26th December, 1802.

Permit me to state to you, for the information of the Right Honorable the Lords Commissioners of the Admiralty, that the Calcutta is now down to the greatest draft of water that the pilots will take charge of a ship at to proceed down this river. I propose getting the rigging set up, and such stores, &c., from the dockyard as we cannot do without, and proceeding down to Blackstake the first fair wind after Wednesday or Thursday. The Calcutta.

The proportion of provision for the ship's company and settlers is mostly on board, as also a quantity of provision for His Majesty's ship Investigator. But the provision for the use of the convicts and for the settlement is yet to come; and by the invoice transmitted from the Army Victualling Office, I doubt much if the ship can possibly store it in places of security, as so much space is allotted for the reception of the prisoners and settlers. Provisions.

The officers of this yard have also given me an account of various stores to be received on board the Calcutta for His Majesty's ship Porpoise, consisting of sails, cables, anchors, boats, and cordage, &c. These, and all other stores coming from proper authority I shall be proud to receive, and (so far as the capacity of the ship will admit) caused to be stowed away, though, with humble submission, I should at this season of the year rather received the extra articles on board at Portsmouth, as I am concerned to say I find great difficulty in procuring able seamen, and have been obliged to accept such men as I could get to fit the ship out. Ships' stores.

I have, &c.,

D. WOODRIFF.

DAVID COLLINS TO UNDER-SECRETARY SULLIVAN.

Sir, 27 Dec.
Beaumont-street, 27th December, 1802.

On looking over my papers, I am enabled to give you the following information respecting the granting of lands in N.S. Wales. Land grants.

The Governor was empowered by his instructions to give such male convicts as were desirous of becoming settlers after they had served their respective terms of transportation, 30 acres of land if single, 50 acres if married at the time of settling, and 10 more for each child which they might have at that time.* Those grants were to them, their heirs and assigns, to have and to hold for ever free Grants to expire.

* The clause in the Governor's Instructions, to which Collins apparently refers in this letter, applied only to convicts whom the Governor, in consequence of good behaviour, emancipated. There is no authority in the instructions of either Phillip, Hunter, or King for grants being made to convicts after completing their periods of servitude; but the custom was sanctioned by Dundas in a letter to Lieutenant-Governor Grose, vol. ii, p. 50.

1802	from all fees, taxes, quit rents, and other acknowledgements for the space of ten years, at the end of which time they were to be subject to an annual quit rent of one shilling. There was a provision inserted in the grant that the grantee was to proceed to the improvement and cultivation of the ground, and was to reserve such timber as was growing, or might grow thereafter, as was fit for naval purposes. Upon these terms James Ruse, a convict who had served his time, received the first grant of 30 acres of ground on the 30th day of March, 1792.
27 Dec.	
Conditions of grant.	
Residential clause in grant.	It having been found that many of these people obtained grants for the sole purpose of raising as much grain or stock as when converted into money would procure them a passage to England or elsewhere, an instruction bearing date the 30th June, 1793,* was received from Mr. Dundas, directing a clause to be inserted in all future grants, enjoining the grantee to reside upon and cultivate the land for five years, if he should so long live, and that any sale or conveyance of the said land made by him within that time should be null and void, and the ground in such case revert to the Crown.
Grants to marines.	In the encouragement held out to such of the marine detachment as were desirous of becoming settlers at the end of a given time, 130 acres of land were to be granted to a non-commissioned officer if single, and 150 if married, and to the privates 80 were given if single, 100 if married, and 10 for each child; free from all taxes for five years, then to be subject to a quit rent of one shilling for every 50 acres.
Crown reserves.	In addition to the reserve of timber between every allotment to settlers, there was to be marked out for the Crown a quantity equal in extent to the largest allotment on either side. The same was observed in marking out the church and school lands; the former consisting of 500 acres and the latter of 250 (I think). A reserve of 500 acres for the Crown were marked out between them.
Grants to officers.	The officers, both civil and military, received grants of 100 acres each with the above provisions and reservations, and each soldier of the New South Wales Corps was indulged with a grant of five and twenty acres.
Collins's grant.	I take the liberty of accompanying this with an original grant of 100 acres to myself for your further information on this subject. Any other that it may be in my power to furnish on this or any other point, I shall be happy to receive your commands upon, and beg you to be assured that no endeavour of mine shall be wanting to execute in the fullest manner whatever instructions I may be honored with.
Treatment of the natives.	I have, &c., DAVID COLLINS. P.S.—I think there should be an article with instructions, placing the native inhabitants under the protection of the Government, and declaring any violence to their persons or property equally punishable as if offered to a white man.

* Vol. ii, p. 50.

DAVID COLLINS TO UNDER-SECRETARY SULLIVAN.

1802

Sir, Beaumaris-street, 30th December, 1802.

30 Dec.

I beg leave to submit to your opinion whether, in addition to the officers proposed to form the civil establishment of the new settlement, it will not be necessary to appoint a superintendant of convicts. In the estimate laid before Parliament of the civil establishment of New South Wales, from Oct'r, 1792 to Oct'r, 1793, there was a charge made for twelve superintendants at £40 each per annum, which allowance was afterwards increased to £50 each. They ought to be a useful description of people, but this depends upon the choice that is made of them at Home. If well selected, they may prove an effectual check upon the overseers, who, in New South Wales, were always chosen from among the better sort of convicts; but I could wish, if it were practicable, to have three or four of the overseers chosen from those who are so employed, either in the hulks or at the dockyard at Portsmouth. These people would be of great utility in the country, and on the passage thither, and, perhaps, might be induced to go for a small annual allowance, and some encouragement after their arrival, if found to merit it. I certainly should prefer these being free people, to any overseers I could chuse from the convicts themselves.

Superintendent of convicts.

Overseers chosen from ranks of convicts.

My knowledge of what we often wanted in N. S. Wales, and your permission to state my ideas, sir, to you, on this business, induce me to mention these circumstances; and it will assuredly be of more advantage to the service to be entrusted to my direction to set out well prepared than to discover the want when it will be too late to rectify it.

Collins's suggestions.

I imagine it will be necessary to provide the Lieutenant-Governor with the authority of a Justice of the Peace. In the patent for establishing the Criminal Court of Judicature for the territory, the Governor, Lieut.-Governor, and the Judge-Advocate for the time being, were created Justices of the Peace, and acted under that authority.

The Lieutenant-Governor to be a J.P.

You will find in the estimates already mentioned, that an allowance is made to the Secretary of the Governor of 5s. per diem. I just beg leave to observe that a clerk would be very useful to me; but this I submit, with everything else that I have stated, to your better judgment, and have the honor, &c.,

A clerk to Collins.

DAVID COLLINS.

GOVERNOR KING TO LORD HOBART.

My Lord, Sydney, New South Wales, 31st Dec., 1802.

31 Dec.

As nothing material has occurred here since the departure of Mr. Thomson by the French ships with my despatches dated in November last, and as the route of the ship this goes by is very circuitous, I shall defer sending duplicates until a more direct opportunity offers.

- 1802** By the enclosed separate letter sent with the above despatches your Lordship will observe that the *Venus* had arrived with a cargo of salt pork from the Society Islands. As Mr. Bass was allowed to dispose of as much as he could to individuals, the quantity remaining for the stores was 86,556 lb., which I directed the Commissary to receive, agreeable to the contract, at 6d. pr lb. and as Mr. Bass brought a quantity of very fine salt from the Sandwich Islands, which is much needed for salting pork at Norfolk Island, and will be a great relief to the settlers at this place, to whom it will be given in exchange for wheat at 2½d. per lb.; the quantity purchased is 30,034 lb., at 1½d. pr lb.
- 31 Dec.** These purchases together amount to £2,351 12s. 3d., which I have directed the Commissary to liquidate by bills on His Majesty's Treasury, a voucher for which I have the honor to enclose, and hope these purchases will be approved of, as the pork is so much cheaper than it could be sent from England for, which has induced me to continue the contract for another voyage.
- Importation of pork from Otaheite.** His Majesty's armed vessel *Porpoise* arrived here the 19th inst. with about 40,000 lb. of salt pork for the public use of the colony, which was procured at little more than about 2d. pr lb. in barter for articles sent from hence.
- Purchase of salt.** As this is the second voyage the *Porpoise* has made to these islands, the *Venus* also having brought a great quantity of pork, and there being also other adventurers from India on the same speculation, I am apprehensive the swine will be greatly exhausted on those islands which are accessible to Europeans, and that it will be necessary to allow them some time to renew their stock, which will prevent me from sending the *Porpoise* for some time, particularly as Mr. Bass is going again.
- Bills on the Treasury.** The loss of the Norfolk brig was very unfortunate, but being one of those misfortunes arising from unforeseen hurricanes, it is a great satisfaction no lives were lost and nothing destroyed but the vessel's hull. On the return of the people belonging to her by the *Porpoise* I directed the master's and people's conduct to be enquired into, and whether it would be worth the expence to send a ship and people to recover the hull. The enclosure is the officers' report, by which it appears an attempt of that kind would be attended with much expence, exclusive of the probability of finding her wreck separated. The cost of this vessel was originally £700. She has been of much service. Another vessel of the same size is now building, and in great forwardness.
- H.M.S. Porpoise.** Ensign Barrallier, of the New South Wales Corps, has done the duty of Artillery Officer and Engineer, to which duty he had voluntarily performed that of civil engineer and surveyed Bass's Straits and other places on the coast. As he has ceased doing those duties for the reasons given in my last military letter, I have taken it upon me to direct the Commissary to pay him 5s. per
- Her second voyage to the islands.**
- The loss of the Norfolk.**
- Ensign Barrallier.**

diem for the time he was so employed, and 1s. 6d. p. diem to an assistant, which I hope will meet your Lordship's approbation, in liquidation of which I have directed the Commissary to draw a bill on His Majesty's Treasury, and have the honor to enclose a voucher.

1802

31 Dec.

In my last I had the honor of informing your Lordship that having taken Ensign Barrallier as my aid-du-camp that he was set out on a second journey to the mountains. After an absence of seven weeks he returned a few days ago, having penetrated 140 miles to the westward of Parramatta and 100 miles in the mountains, which he was enabled to persevere in by the dépôts of provisions established at convenient distances for his party. The result of his journey is that this formidable barrier is impassable for man, with every probability that no part of the numerous wild cattle have got beyond these mountains, which so far secures them to the future advantage of this colony, unless they take a south route, as some idea obtains here that the range terminates about Port Jarvis. To ascertain this point I intend sending Mr. Barrallier shortly to Port Jarvis and to penetrate as far as he can to the westward from thence. The particular detail of his last journey and chart shall be forwarded by the first direct conveyance, as it is not yet arranged.

His journey into the interior.

The Blue Mountains an impassable barrier.

Some parties have lately been sent out to endeavour bringing in a part of the cattle, but I am sorry to say without success, owing to the wild and ferocious state of those animals. However, no means will be left untried to recover a part of them if possible.

The wild cattle.

Instead of the inundations we experienced the last two years, this has been remarkable for a long continued drought, with the most oppressive sultry weather ever felt here. Still I have the pleasure to say that our harvest of wheat has been tolerably good and well got in; but the crops of maize will be thin, altho' some favorable hopes are formed, as we have had much rain these few days past.

A lengthened drought.

The stores continue open for the receipt of wheat from private cultivators, either for barter or at 8s. per bushel. It is my intention to reserve that belonging to Government (upwards of 7,000 bushels) till the last, the necessity of which the experience of former years have pointed out. Every exertion is making to get as much ground as possible cleared at the new settlement at Castle Hill, where 300 men are now employed, which, with the wheat furnished by private cultivators, will prevent the necessity of any more flour being sent here unless a very great number of people are sent out.

Purchasing wheat from settlers.

I enclose the Commissary's return of salt meat (including that received by the Venus and Porpoise), also flour and grain now in the stores, with the time each specie will last to, together with such other statements as will give your Lordship every present information on that head, reserving more detailed statements until this year's accounts are closed, which I hope to forward by the first direct conveyance from hence. By the return now sent

The Commissary's returns.

1802
31 Dec.
Salt meat in
store.

your Lordship will observe that we now have 64 weeks' salt provisions for our present numbers victualled, which will last at a full ration until about the end of March, 1804, before which period it will be advisable to send a further supply of salt provisions to prevent the necessity of having too early a recourse to our live stock, which by the superintendent's weekly return your Lordship will observe amounts to 1,438 head of cattle. It is true that number will greatly increase, but not equal by any means to the consumption of those victualled from the public stores.

I am happy to inform your Lordship of the general good conduct of those under my charge. I have, &c.,

PHILIP GIDLEY KING.

Ex-GOVERNOR HUNTER TO SECRETARY NEPEAN.

Sir, 31st December, 1802.

A vessel for
Port
Jackson.

From the conversation I had with you yesterday on the subject of a vessel to be sent out in frame to N.S. Wales, I had occasion to observe that altho' Capt. Woodriff and I agree in the advantages which the public service in that colony may derive from the use of a vessel or two of that size and description, yet we differ with respect to her construction.

Captain
Woodriff
favours a
flat-
bottomed
boat.

He advises a flat-bottomed vessel, like the barges employed on canals or in rivers. To this plan I object, because such a vessel must be stationary within the harbour, being in my opinion unfit to be taken from port to port along the coast, on which we are subject to much blowy weather, and consequently it may be found necessary to have one such vessel in each of the ports where their services may be wanted, whereas a vessel with a curved bottom sufficiently flat to occasion her drawing little water, will answer not only all the ends propos'd by the river barge, but will be capable of bearing the weather if blown off the coast. Such a vessel will be convenient for carrying not only ship-timber from the port in which it may be cut, down to the King's ships which are to take it on board either at Port Jackson or Broken Bay, but may on any occasion be sent to Norfolk Island, or employed when necessary in carrying coals from Hunter's River (which is about 22 leagues north of Port Jackson) to that harbour, and there form a deposit for any intended purpose. This vessel I wou'd prefer to have schooner-rig'd, because the sails of a sloop of such burthen are heavy, and the advantage of two masts will be evident, as a tackle from each mast-head may be found necessary in taking on board heavy timber. Such, sir, are my reasons for approving the plan already before their Lordships; but I wou'd at the same time recommend that a draft of a flat-bottom'd barge be sent, from which they will be enabled to construct upon the spot such vessel if wanted, and probably with less difficulty than they cou'd a curv'd bottom'd one.

Captain
Hunter's
theory.

A sea-going
vessel
preferable.

I have, &c., JNO. HUNTER.

SHIPPING RETURN.

931

SHIPPING RETURNS.

A List of Ships and Vessels which have entered Inwards in the harbour of Port Jackson, in His Majesty's territory of New South Wales, between the 1st day of July, 1802, and the 31st day of December following, with the particular quantity and quality of the lading of each vessel.

Time of Entry.	Vessel's Name.	Master's Name.	Built.	Number of			Where and when built.	Where and when registered.	Owner's Name.	General Cargo.	From whence.	Where and when bond given.
				Tonn.	Guns.	Men.						
6 July	Atlas ..	Rt. Brooks ..	British	435	12	28	Durham ..	London ..	Messrs. Clays	Merchandise ..	Ireland ..	Sydney.
9 "	Fanny (brig) ..	E. Smith ..	Foreign	185	5	12	Newbury, America.	Portsmouth, America.	Harris and Smith.	" ..	Boston ..	.....
4 Aug.	Perseus ..	Jno. Davison ..	British	362	8	38	Stockton ..	London ..	Reeve and Green.	" ..	London ..	.....
11 "	Harriet ..	Sam'l Chace ..	Foreign	227	6	20	Prize ..	" ..	Messrs. Mathers.	840 barrels oil.	Whaling ..	.....
9 Sept.	Surprise (schooner)	Alex'r Le Corre ..	"	90	..	12	.....	Isle of France	.....	Merchandise ..	Isle of France	.....
16 Oct.	Alexander ..	Jas. Norman ..	"	278	10	24	Quebec ..	London ..	Jno. Locke ..	" ..	London ..	.....
"	Buffalo ..	Wm. Kent ..	....	..	..	..	.....	.....	H. M. S. ..	Stores ..	" ..	.....
20 "	Atlas ..	Thos. Musgrave ..	Foreign	543	12	54	Quebec ..	London ..	Beaton & Co.	Merchandise ..	Ireland ..	.....
14 Nov.	Venus (brig) ..	Ch's Bishop ..	"	142	8	25	Bengal ..	" ..	Creighton & Co.	50 ton pork, 15 ton salt.	Otaheite ..	.....
....	Porpoise ..	Wm. Scott ..	....	..	..	..	.....	.....	H. M. Ship ..	Pork ..	" ..	.....

W. N. CHAPMAN, Naval Officer.

1802
31 Dec.Ships
entered
inwards at
Port
Jackson.

1802
31 Dec.
Ships
cleared out-
wards from
Port
Jackson.

SHIPPING RETURN.

A List of Ships and Vessels which have clear'd Outwards from the Harbour of Port Jackson in His Majesty's Territory of New South Wales, between the 1st day of Jan'y, 1802, and the 31st day of Dec'r following, with the particular quantity and quality of the lading of each Vessel.

Time of Clearing.	Vessel's name.	Master's name.	Built.	Tons.	Guns.	Men.	Where and when built.	Where and when registered.	Owner's name.	General cargo.	Whither bound.
5 June	Marquet	Jno. Byers	British	121	10	28	Nov'r, 1769	London	Turnbull & Co.	Ballast	Sealing.
6 "	Speedy	Geo. Quested	"	313	0	24	"	"	Enderby & Co.	170 tons sperm oil	England.
12 "	Britannia	Rt. Turnbull	"	301	6	24	Dorset	"	"	1,300 barrels	Whaling.
26 "	Venus	B. Gardener	"	295	10	24	Deptford	"	Messrs. Champion	550 "	"
22 July	Arthur	Scott Tinker	Foreign	505	6	20	Somerset	Providence	Brown & Co.	Ballast	China.
"	Coromandel	Alexr. Sterling	British	522	12	44	Chittagong	London	Reeve & Co.	"	"
"	Investigator	M. Flinders	"	"	20	83	"	"	H. M. Ship	On discoveries	"
10 Aug.	Greenwich	Alexr. Saws	"	338	2	24	London	"	Messrs. Enderbys	1,000 barrels oil	Whaling.
"	General Boyd	Owen Bunker	Foreign	302	4	24	America	"	Watson & Co.	50 ton	"
12 "	Hercules	Luckyn Betts	British	305	10	35	Newcastle	"	Simm. Semple	Ballast	China.
20 "	Harriet	Saml. Chace	Foreign	227	6	20	Prize	"	S. Mathers	840 barrels oil	Whaling.
4 Oct'r	Schooner Surprise	Alexr. Le Corre	"	90	"	12	"	Isle of France	"	Ballast	Sealing.
8 "	Harrington	Wm. Campbell	"	180	6	40	Calcutta	Calcutta	Chace & Co.	"	Coast Peru.
"	Percus	Jno. Davidson	British	302	8	50	Stockton	London	Reeve & Green	"	China.
"	Atlas	Rt. Brooks	"	435	12	40	Durham	"	Messrs. Clays	Do, and a part of her cargo.	"
14 Nov.	Venus	Chas. Bishop	Foreign	142	8	25	Bengal	"	Bass, Bishop, & Co	"	"
17 "	Fanny	E. Smith	"	185	5	12	Newbury	Portsmouth	Harris & Smith	Ballast	Batavia.
"	Geographie	N. Baudin	"	"	"	"	France	France	Republick	On discoveries	"
"	Naturaliste	E. Hamelin	"	350	8	100	"	"	"	"	"

LAND GRANTS OF CIVIL OFFICERS.

933

List of every Civil and Military Officer (including Storekeepers and Superintendents) in His Majesty's territory of New South Wales holding Land by Grant or Lease, or in possession of Stock, with the quantity of ground cropped, stock, &c., as mustered in 1802.

Appointment.	Names.	Grants or Leases in their own names.			No. of Acres purchased from Settlers, &c.	Total No. of Acres held.	No. of Acres clear.	No. of Acres in Wheat and Maize.	Quality and quantity of Stock.				No. of Convicts assigned supported by their Masters.
		No. of Grants.	By whom Given.*	Date of first Grant.					Horses.	Horned Cattle.	Sheep.	Goats.	Hogs.
Civil.													
Governor	Philip Gidley King	3	1 G., 2 H.	May, 98	254	254	100	26	3	..	10	..	12
Judge-Advocate	Richard Atkins	..	2 G., 1 K.	Feb'y, 93	900	1,070	688	330	21	29	150	27	18
Commissary	John Palmer	2	1 H.	June, 90	600	600	40	40	1	3	470	..	30
Prov. Marshall	Thomas Smyth	..	..	..	..	..	..	..	..	..	..	..	..
Chaplain	Rich'd Johnston	3	1 G., 2 H.	Oct., 94	330	440	200	5	7	21	490	0	10
Do	Sam'l Marsden	9	1 P., 1 G., 7 H.	Dec'r, 92	1,235	1,450	180	..	..	..	..	..	8
Do	Will'm Balmain	1	H.	Dec'r, 94	100	100	..	..	..	..	..	..	..
Do	James Thomson	1	H.	Nov'r, 90	147	245	24	14	5	..	..	..	..
Do	D'Arcy Wentworth	2	G.	Feb'y, 94	100	100	20	5	..	..	..	..	..
Do	Augustus Alt	1	1 G., 1 H.	Oct'r, 94	102	358	100	36	2	8	29	23	20
Deputy-General	Charles Grimes	2	..	..	..	..	..	..	..	..	..	..	..
Deputy Commissary	W. N. Chapman	5	H.	Sept., 96	87	87	74	73	1	..	..	3	58
Do	James Williamson	..	..	..	..	..	..	..	1	..	..	..	2
Storekeeper	William Sutton	2	H.	April, 99	101	131	20	4	2	..	12	..	3
Do	Rowland Hassall	2	1 G., 1 H.	Dec'r, 94	70	70	..	..	..	..	..	5	..
Do	William Baker	4	1 P., 1 G., 2 H.	July, 92	281	561	148	50	3	3	88	..	40
Magistrate	Thomas Arndell	1	1 H.	Sept., 90	80	80	..	..	..	..	..	..	1
Chief Constable	George Harrington	1	1 G., 2 H.	Sept., 94	50	325	35	10	2	..	58	..	11
Superintendent	James Bloodworth	3	1 G., 2 H.	Dec'r, 90	175	350	55	19	..	..	139	3	29
Do	Rich'd Fitzgerald	1	1 H.	April, 94	100	100	12	6	1	1	6	..	3
Do	John Jamieson	3	1 G., 1 H.	Jan., 94	218	218	68	..	1	..	..	..	1
Do	Nicholas Dyball	1	2 G., 1 H.	Oct., 98	470	470	100	..	6	11	..	..	1
Do	Thomas Moore	1	..	..	..	..	..	..	..	..	..	..	..

* "P," Governor Phillip; "G," Lieutenant-Governor Grose; "H," Governor Hunter; "K," Governor King.

1802

81 Dec.

Lands and stock of civil officers.

GENERAL STATEMENTS.

935

GENERAL STATEMENTS of the Inhabitants of His Majesty's Settlement in New South Wales.*

Date.	Civil Department Victualled.														Military Department Victualled.															
	Governor.	Lieut. Governor and Lieut. Col'l N. So. Wales Corps.	Act'g Deputy Judge-Advocate and Registrar V.A. Court.	Commissary.	Principal Surgeon.	Deputy Provost-Marshal.	Secretary to the Governor and Dep'y Commissary.	Chaplains.	Assistant Surgeons.	Surveyor of Lands.	Deputy Surveyor, Act'g as Surveyor-General.	Deputy-Commissionaries.	Superintendants, Storekeepers, and Vintners.	Women.	Children above ten years old.	Children above two years old.	Lieut. Colonel and Lieut. Governor.	Captains.	Lieutenants.	Ensigns.	Adjutant, Paymaster, Quarter-master.	Surgeons.	Serjeants.	Drummers.	Privates.	Women.	Children above ten years old.	Children above two years old.	Children under two years old.	
July, 1800	1	1	1	1	1	1	1	2	2	1	1	2	14	6	..	6	2	1	5	5	5	1	1	20	14	398	130	..	140	90
Sept. 28, 1800	1	1	1	1	1	1	1	2	2	1	1	2	14	6	..	6	2	1	5	5	5	1	1	20	14	398	130	..	140	90
August 21, 1801	1	1	1	1	1	1	1	1	2	Invalid	1	1	16	8	1	6	3	1	3	5	5	3	2	23	16	451	68	9	137	42
March 1, 1802	1	1	1	1	1	1	1	1	2	"	1	1	16	9	2	21	3	1	3	5	3	3	1	25	16	491	50	14	131	30
May 21, 1802	1	1	1	1	1	1	1	1	3	1	1	1	16	9	2	21	3	1	3	5	3	3	1	25	16	486	55	6	113	28
October 31, 1802	1	1	1	1	1	1	1	1	5	Invalid	1	1	14	4	2	5	..	1	2	5	3	3	1	27	16	516	50	5	52	20

* The figures contained in this return must be accepted with caution. They are given as in the original.

1802
31 Dec.
Vital statistics.

1802

31 Dec.

Vital statistics.

GENERAL Statement of the Inhabitants of His Majesty's Settlement in New South Wales—continued.

Date.	People not Victualled from the Stores.				Convicts Victualled from the Stores.				Sydney.				Natives Victualled from the Stores.				Number Victualled at the Different Rations				Number at Full Rations.				Settlers.		Weeks' Provisions in the Store at the Established Ration.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
	Men. Women. Children. Numbers not Victualled from the Stores. Number full rations not Victualled from the Stores.				Men. Women. Children above ten years old. Children above two years old. Children under two years old.				Orphans Victualled from the Stores. Loyal Association.				Parramatta.				Natives Victualled from the Stores.				Whole. Two-thirds. Half. Quarter.				Number Victualled from the Public Stores.				Number at Full Rations.				Men. Women.		Number of Souls in the Settlement.				Wheat and Maize as Flour.				Beef. Pork. Sugar. Maize and Pease.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
July, 1800	808	275	39	1,122	1,010	1,363	546	482	184	4	..	1,938	638	428	276	3,530	3,009	387	14	4,953	

* In the within statement the following number of weeks' salt provisions remained for those victualled by the Crown at the full ration, 6 weeks; but the additional quantity purchased from the American ship Arthur gives 10 weeks' more. Total number of weeks at full ration, 16; but at our present ration of two-thirds it will last 20 weeks.

THE NEW SOUTH WALES CORPS.

937

THE Military Establishment.—Distribution of New South Wales Corps, 31st December, 1802.

1802

31 Dec.

Distribution of the New South Wales Corps.

Where Stationed.	Field Officers.	Captains.	Subalterns.	Staff.					Surgeon.	Ass't Surgeon.	Serjeants.	Drummers.	Rank and File.
				Pay-Master.	Adjutant.	Quarter-Master.							
Sydney and outposts	1	3	6	1	1	1	1	..	21	16	379		
Doing duty on b'd sundry vessels .. .. .	..	..	..	..	..	..	..	..	..	..	22
Parramatta and outposts .. .. .	..	..	3	..	..	..	..	..	4	..	98
Hawkesbury .. .. .	..	..	..	..	..	..	..	..	..	..	12
Norfolk Island	1	1	4	..	..	..	..	..	4	2	98
Total	2	4	13	1	1	1	1	..	29	18	609		

RETURN of Births and Deaths in His Majesty's Colony of New South Wales between the 31st day of December, 1801, and the 31st December, 1802.

Births and deaths.

[Extracted from the Surgeon's and Clergymen's reports.]

District.	Deaths.			Births.	
	Men.	Women.	Children.	Male.	Female.
Sydney	62	13	25	24	17
Parramatta	37	5	2	13	27
Hawkesbury	6	2	3	9	12
Total	105	20	30	46	56

Remarks.—The births are uncertain and not easily collected from the scattered state of the settlers' allotments, and children born of Catholic parents and not baptized. This will be remedied now, as the Priest will keep a register of the baptisms.

N.B.—Out of the above deaths, 10 men and 1 child have been casualties.

PHILIP GIDLEY KING.

1802 Cost of the civil establishment of New South Wales from the 1st
31 Dec. of January to the 31st of December, 1802.

Expenditure of the colony.		£	s.	d.
Salary of the Governor	...	1,000	0	0
Deputy Judge-Advocate	...	182	10	0
Commissary...	...	365	0	0
Provost-Marshal	...	91	5	0
Secretary to the Governor	...	91	5	0
For stationary	...	20	0	0
Clergyman	...	182	10	0
Ditto at Parramatta and Hawkesbury	...	146	0	0
Surgeon	...	182	10	0
Three mates, at £91 5s. each	...	273	15	0
Assistant	...	50	0	0
Surveyor of Lands	...	182	10	0
Boat builder	...	91	5	0
Two Deputy Commissaries of Stores	...	182	10	0
Two additional clerks to the Commissary, at £60 per annum each	...	120	0	0
Two assistant storekeepers	...	100	0	0
Nine superintendants of convicts, at £50 per annum each	...	450	0	0
Deputy Commissary of Stores	...	91	5	0
Additional salary to Mr. Clark, Deputy Commissary of Stores, in consideration of his long services and of the great increase of the duties of his situation, at the rate of £91 5s. per annum, to commence from the beginning of this year, being the period of his embarking to return to Norfolk Island				
One storekeeper	...	91	5	0
Deputy Surveyor of Lands	...	50	0	0
Three superintendants of convicts, at £50 per annum each	...	91	5	0
One master carpenter	...	150	0	0
One beach master and pilot	...	40	0	0
Deputy Judge-Advocate, at 8s. per diem	...	50	0	0
Provost-Marshal	...	146	0	0
Allowance to Governor Phillip, in consideration of his meritorious services	...	70	0	0
Allowance to Mr. White, late surgeon	...	500	0	0
Allowance upon account for fees on receipt and audit	...	91	5	0
Agent	...	200	0	0
	...	150	0	0

Norfolk Island.

Lieut't-Governor of Norfolk Island	...	250	0	0
Clergyman	...	96	0	0
Surgeon	...	130	0	0

£5,998 0 0

APPENDIX.



APPENDIX.

BAUDIN PAPERS.

AMONGST the manuscripts kindly placed at the disposal of the Editor by the Hon. P. G. King, M.L.C., are a number of letters from the commanders of *Le Géographe* and *Le Naturaliste*, French vessels on a voyage of discovery. These letters, with Governor King's replies, and other documents relating to the visit of the ships to Port Jackson, have been grouped together and are given here as an appendix. For convenience of the English reader translations are given.

LE COMMANDANT HAMELIN AU GOUVERNEUR KING.

1802

A l'entrée du Port Jackson,

Monsieur le Gouverneur,

25 avril 1802.

25 April.

Au moment où le pilote est arrivé à bord j'avois mon canot à la mer, paré à envoyer en parlementaire dans le port pour vous demander la permission d'y entrer afin de faire de l'eau dont je manque absolument, et de chercher, sur votre bon plaisir, à m'y procurer des rafraichissements et des vivres pour la continuation de ma campagne.

Arrival of *Le Naturaliste*.

J'ose espérer que quand mon officier vous aura présenté le passeport que votre gouvernement a accordé à chacun des deux bâtiments français le *Géographe* et le *Naturaliste*, composant cette expédition de découvertes, vous accéderez à ma juste demande.

A passport from the British Government.

Je suis, en attendant le bonheur de vous voir,

Votre obéissant serviteur,

Le capitaine de frégate,

EMMANUEL HAMELIN,

Commandant la corvette le *Naturaliste*.

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

Sir,

At the entrance of Port Jackson, 25th April, 1802.

When the pilot came on board I had lowered a boat ready to go into the harbour with an envoy to ask your permission to enter it, in order to take some water, of which I am absolutely short, and to try with your consent to procure some refreshments and provisions to continue my campaign.

Arrival of *Le Naturaliste*.

I hope that, when my officer has handed you your Government's passport, granted to the two French vessels, *Le Géographe* and *Le Naturaliste*, belonging to this expedition of discoveries, you will grant my request.

A passport from the British Government.

Yours, &c.,

EMMANUEL HAMELIN,

Commanding the corvette *Le Naturaliste*.

1802

LE GOUVERNEUR KING AU COMMANDANT HAMELIN.

26 April.

Monsieur,

26 avril 1802.

Governor
King's
reply.

J'avois l'honneur de recevoir votre lettre du 25 courant, et comme j'ai été informé de la probabilité que vous relâcherait ici, et aussi que vous êtes fourni d'un passeport, je m'empresse de vous donner les assurances que rien ne manquerai de fournir à tous vos besoins, autant que cette colonie en est capable. J'ai donné les ordres que votre frégate serait mouiller à l'entrée du cove; et en attendant le plaisir de vous recevoir,

J'ai l'honneur d'être, etc.,

PHILIP GIDLEY KING.

[Translation.]

GOVERNOR KING TO COMMANDER HAMELIN.

Sir,

26th April, 1802.

Governor
King's
reply.

I have had the honour of receiving your letter of 25th inst., and as I had been informed of the probability of your calling here, and also that you were furnished with a passport, I have much pleasure in assuring you that everything will be done to supply your wants, as far as this colony is capable of doing so. I have given orders so that your frigate may be anchored at the entrance of the cove, and, awaiting the pleasure of seeing you,

I have, &c.,

PHILIP GIDLEY KING.

LE COMMANDANT HAMELIN AU GOUVERNEUR KING.

A l'entrée du Port Jackson,

le 26 avril 1802.

Le Natural-
iste at the
Heads.

Monsieur le Gouverneur,
Mon second que j'envoiai hier au soir à la ville pour vous présenter l'hommage de mon respect vous aura communiqué le passeport que j'ai reçu de votre gouvernement.

Puisque vous le permettez, dès que le tems sera favorable j'irai mouiller à l'entrée du cove, et puis après, accompagné de mon état-major, j'irai au Gouvernement vous assurer que je suis pénétré d'estime pour vous.

Salut et haute considération, etc.,

EMMANUEL HAMELIN.

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

At the entrance of Port Jackson,

26th April, 1802.

Le Natural-
iste at the
Heads.

Sir, My chief officer, whom I sent to town yesterday to give you my respects, has without doubt exhibited to you the passport I received from your Government.

Since you allow my doing so, as soon as the weather will permit I shall go to anchor at the entrance of the Cove; then in company with my staff I shall proceed to Government House to assure you of my esteem.

I am, &c.,

EMMANUEL HAMELIN.

REGULATIONS TO BE OBSERVED BY THE FRENCH SHIP DURING 1802
HER STAY IN PORT JACKSON.*

By, &c., &c.

27 April.

1st. No person is to be admitted on board (except the officers, who will be known by their regimentals) without a pass from the Governor or Lieut't-Governor. No admission.

2nd. All boats coming on shore, either for refreshments or to bring or take off officers, are to land at the Governor's wharf. The landing place.

3rd. No boats are allowed to remain on shore after sunset, except those that come with or for officers, in which case the officer of the guard is to be informed thereof, and the French officers are requested to send their boats on board before eight o'clock in the evening. Rules for row-boats.

4th. An officer will point out the place where the French ship may wood and water. Site for watering.

5th. No person is to go higher up the harbour than the anchoring place, nor is any person to go into the country without permission from the Governor. The anchorage.

6th. As the centinels and police officers are ordered to stop and confine every person whatever who cannot give the countersign after eight o'clock, the captain of the ship is requested to order his people not to remain on shore after that hour, and the officers are recommended to get one of the civil or military officers of the garrison to accompany them after that hour. Arrest in default of countersign.

7th. As the commanders of all English vessels are ordered to cry down the credit of their ship's company, the Governor recommends the captain of the *Naturaliste* to use the same precaution.

8th. The Governor exacts from the captain of the French ship his word of honour that he will not allow any person whatever to be received on board during his stay here or at his departure without the Governor's permission.

Given at Government House, 27th April, 1802.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

27th April, 1802.

LIEUT.-COLONEL Paterson will direct the centinels to make themselves acquainted with the persons of the captain and commissioned officers of the French ship *Naturaliste*, and pay them the compliments due to their rank in the army, when in their uniform, with side-arms, according to the regulations of this garrison. The French ship *Le Naturaliste*.

No person whatever is to go on board the French ship without the Governor's or Lieutenant-Governor's permission, except commissioned officers, civil or military; the latter will not go on board but in regimentals. The landing place.

* The regulations were framed when Commander Hamelin arrived in *Le Naturaliste*. They were evidently adapted from the Port Orders which will be found on p. 144, ante.

of the guard will order all French boats from the wharves unless the Governor allows of their remaining after any particular reason, which will be communicated to the guard.

Instructions to sentinels. All centinels and constables will stop and confine whatever who does not give the countersign after commissioned officers, civil and military, will make them to the centinels as usual.

PHILIP GILBERT

LE COMMANDANT HAMELIN AU GOUVERNEUR

Devant Sydney Cove, dans le Hâvre de la Reine

28 April.

Monsieur le Gouverneur,

le 28

French sailors
invalided.

J'ai l'honneur de vous prévenir que sous votre
j'enverrai à l'hôpital de Sa Majesté cette après-midi
qui ont besoin de quelques jours de repos à terre.
noms :—

Jn. Louis Poulain } Scorbutiques.
Jn. Fs. Miloner }
Gllme. Yvelin, vénérien.
Adrien Happeday } Blessés.
Pre. Martin }
Edouard Happeday }

Salue et haute considération

EMMANUEL

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

Sir,

Sydney Cove, Neutral Bay, 28th

French

I have the honor to inform you that, with your consent

LE COMMANDANT HAMELIN AU GOUVERNEUR KING.

1802

Monsieur le Gouverneur,

5 mai 1802.

5 May.

J'ai l'honneur de vous remercier des légumes frais que vous avez eu souvent la complaisance d'envoyer à bord. Mon eau étant achevée, je vous prie de mettre le comble à vos faveurs en m'accordant une ancre de bossoir, 200 boisseaux de blé, quelques gallons d'eau-de-vie, et 8 à 10 quinteaux de patates, s'il étoit possible. Stores required by the French.

Muni de ces objets, je comptes mettre sous voiles lundi ou mardi prochain.

J'ai l'honneur d'être, etc.,

EMMANUEL HAMELIN.

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

Sir,

5th May, 1802.

I have the honor to thank you for the green vegetables which you have so often had the kindness to send us. Having completed taking the water I require, I beg you to add to your many favours by letting me have one bower-anchor, 200 bushels of wheat, a few gallons of brandy, and from 8 to 10 cwt. of potatoes, if possible. Provided with these articles I intend to sail on Monday or Tuesday next. Stores required by the French.

I have, &c.,

EMMANUEL HAMELIN.

GOVERNOR KING TO COMMANDER HAMELIN.

Sir,

Sydney, 5th May, 1802.

I have the honour of acknowledging the receipt of your letter of this date, and as I do not consider the trifles of which you speak worthy of thanks, I am much obliged to you for allowing them to be received. King accedes to the request for stores.

With respect to the articles you request for the use of the corvette under your command, I have the honour to enclose my orders to the Commissary to supply you with such articles as are in the King's stores. For the rest, you have my permission to provide yourself with them from individuals, or anything else that the colony affords.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

GOVERNOR KING TO COMMISSARY PALMER.

Sir,

Memorandum.

Sydney, May, 1802.

The Commissary will deliver to Captain Hamelin, commander of the French national corvette *Naturaliste*, from His Majesty's stores, the following articles for the use of that ship, viz.: A bower anchor, 200 bushells of wheat, for which he will receive payment in unwrought-iron equal to the weight of the anchor and 10 per cent. in addition for making it and loss, &c. Stores and their equivalent.

PHILIP GIDLEY KING.

1802

GOVERNOR KING TO COMMANDER HAMELIN.

12 May.

Sir,

Sydney, 12th May, 1802.

A captain
invalided.To remain
until con-
valescent.

I have the honour to enclose a copy of my order to the surgeons and their report respecting the state of your second captain,* wherein they point out his inability to undertake the voyage to Europe in the *Speedy*, and the necessity of his remaining in the colony until his health is more established; in consequence of which I have given my permission for his remaining until his health is sufficiently re-established to undertake the voyage, and I have to request you will take the necessary steps for his subsistence until he may be able to go from hence.

I have, &c.,

PHILIP GIDLEY KING.

LE COMMANDANT HAMELIN AU GOUVERNEUR KING.

A bord du *Naturaliste*, Neutral Harbour, Port Jackson,
Monsieur le Gouverneur, le 23 floréal, an 10.

Slaves from
the Isle of
France.

Sous votre bon plaisir je laisserai dans cette colonie, en outre de M. Milius et son domestique noir, destiné à le suivre, le négro Jean, bon homme, un peu cuisinier; le négro Jasmin, ancien valet de chambre. Ces deux hommes sont des esclaves de l'Ile de France, à qui la colonie n'a à reprocher que d'avoir, en naviguant sur les corsaires, trop contracté le goût de la liberté pour être de nouveau admis sans danger dans ses habitations; mais je crois qu'il n'y en a aucun à les prendre comme esclaves, si vous le jugez bon, sur une des votre.

Salue et haute considération,

EMMANUEL HAMELIN.

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

Sir,

On board *Le Naturaliste*, Neutral Bay, Port Jackson,
12th May, 1802.

Slaves from
the Isle of
France.

Should it be your pleasure, I shall leave in the colony, besides Mr. Milius and his black valet, who is to follow him, the negro Jean, a good man and a tolerable cook, and the negro Jasmin, a valet. These two men are slaves from the Isle of France, which colony can only reproach them with having, whilst navigating with corsairs, acquired too strong a liking for liberty, which liking prevents their being taken back on its plantations without danger; but I think there is no such danger in taking them as slaves on your stations provided you think it proper.

I am, &c.,

EMMANUEL HAMELIN.

* Mons. Pierre Millius. The surgeons reported that his complaint was of a bilious and highly nervous nature, and though convalescent, he was "reduced to great debility." M. Millius was first lieutenant on board *Le Naturaliste*.

LE COMMANDANT HAMELIN AU GOUVERNEUR KING.

1802

A bord du Naturaliste (sous voiles),
Monsieur le Gouverneur, le 28 floréal, an 10. 17 May.

Je remercie votre Excellence des bontés qu'elle m'a prodiguées pendant mon séjour dans ce port. J'ai à bord les deux Français qu'elle a bien voulu m'accorder, et j'emporte avec moi pour elle la plus haute estime et la plus haute vénération. Hamelin's departure.

Veillez faire agréer mes hommages à vos dames et croire que mon plus grand plaisir seroit de vous revoir en France avec elles.

Salut et considération,

EMMANUEL HAMELIN,

Capitaine de frégate, près la porte de Dinan à St. Malo,
ou No. 8 rue Thévenot, chez le Conseiller le Comte, à Paris.

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

On board Le Naturaliste (under sails),

17th May, 1802.

Sir, I thank your Excellency for the many kindnesses you have extended to me during my stay in port. I have on board the two Frenchmen whom you gave me, and I carry away with me the highest esteem and veneration for your Excellency. Hamelin's departure.

Have the goodness to give my kind regards to the ladies, and rest assured that I should be most happy to see you in France with them.

Yours, &c.,

EMMANUEL HAMELIN.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord de la corvette le Géographe, Port Jackson,
Monsieur le Gouverneur, le 4 messidor, an 10. 22 June.

La situation dans laquelle se trouve vingt-trois personnes de mon équipage, attaquées de l'escorbut à un degré plus ou moins considérable par la suite du long séjour que je viens de faire en mer, me fait espérer que vous voudrez bien permettre qu'elles soient transportées dans vos hôpitaux militaires pour le rétablissement de leur santé. Twenty-three persons ill with scurvy.

Cette maladie, comme vous le savez, n'exige que de soin, de la tranquillité, d'un changement de nourriture, et je suis persuadé qu'elles se rétabliront promptement si vous consentez qu'elles y soient admises. Nursing, rest, and change.

Je désirerois également, si vous le trouvez bon, établir à terre quelques tentes pour la facilité du travail de nos astronomes, dont les observations vous seront communiquées. Le lieu dans lequel soit fixé M. Flinders me semblera le plus convenable, en supposant que vous n'y trouviez pas d'inconvénients. An observatory.

Comme je serai dans la nécessité de faire plusieurs remplacements de vivres, tels que biscuit, farine, viande salée, liqueurs Stores required.

1802 fortes, viande fraîche, légumes, etc., etc., j'aurai l'honneur de vous
 22 June. présenter la note des quantités, en vous priant qu'elles me soient
 fournies des magasins du gouvernement ou de ceux des particuliers, dans le cas qu'ils se trouvent. Je suis, etc.,
 N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On the corvette Le Géographe, Port Jackson,

22nd June, 1802.

Twenty-three persons ill with scurvy.

Nursing, rest, and change.

An observatory.

Stores required.

Sir, The condition in which are twenty-three members of my crew, who are to a greater or a lesser degree affected with scurvy, consequent upon our long sojourn at sea, gives me the hope that you will allow them to be conveyed to your military hospitals for treatment.

This disease, as you know, requires only some nursing, tranquillity, and a dietetic change; and I feel sure they will promptly recover if you consent to their being admitted there.

I should also wish, subject to your approval, to establish a few tents on shore to facilitate the work of our astronomers, whose observations shall be communicated to you. The place where Mr. Flinders is located appears to be the most convenient provided you see no objection.

As I shall be compelled to take some provisions, such as biscuits, flour, salt meat, spirituous liquors, fresh meat, vegetables, &c., &c., I shall have the honour of forwarding you the list of quantities, praying that they should be supplied to me from the Government or private stores, if there exist any.

I am, &c.,

N. BAUDIN.

GOVERNOR KING TO COMMODORE BAUDIN. (King Papers.)

23 June.

French sailors invalided.

Astronomical observations.

Provisions.

Sir, Sydney, 23rd June, 1802.

In answer to y'rs of this date I have to inform you that I have directed the principal surgeon to receive those into the hospital who absolutely need that relief, provided they are victualled at your expense and that the surgeon receives the allowance for his medical wants.

You are at liberty to pitch your astronomical tents at the same place that the Investigator's are at.

With respect to the provisions you are in want of, every assistance shall be given you that the state of the colony will admit of.

I have, &c.,

PHILIP GIDLEY KING.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord le Géographe, Port Jackson,

Monsieur le Gouverneur,

le 5 messidor, an 10.

Necessity for lengthened rest at Sydney.

L'officier, porteur de la lettre que j'ai l'honneur de vous adresser, doit vous demander permission de séjourner quelque temps au Port Jackson. J'espère que vous voudrez bien m'accorder cette faveur, car nous avons tous besoin d'un peu de repos, tenant la mer depuis neuf mois. En surplus, je rendrés à la première

audience que vous voudrez bien m'accorder tous les détails qui 1802
pourront vous intéresser concernant l'expédition dont m'a chargé 23 June.
le gouvernement français. Je suis, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board Le Géographe, Port Jackson,

Sir,

23rd June, 1802.

The officer, bearer of this letter, which I have the honour of sending to you, will ask your permission for our staying some time in Port Jackson. I hope you will grant me this favour, as we all want a little rest, having been at sea for nine consecutive months. Besides, I shall at the first interview it will be your pleasure to grant me, furnish you with all the information which might be of interest to you concerning the expedition which I am making by order of the French Government.

Necessity for
lengthened
rest at
Sydney.

I am, &c.,

N. BAUDIN.

GOVERNOR KING TO COMMODORE BAUDIN.

Sir,

I had the honour of receiving yours of yesterday's date,* and altho' last night I had the pleasure of announcing that a peace had taken place between our respective countries, yet a continuance of the war would have made no difference in my reception of your ship, and affording every relief and assistance in my power; and altho' you will not find abundant supplies of what are most requisite and acceptable to those coming off so long a voyage, yet I offer you a sincere welcome.

The end of
the war.

King's
reception of
French
ships.

I am much concerned to find from Mons'r Ronsard that your ship's company are so dreadfully afflicted with the scurvy. I have sent the Naval Officer with every assistance to get the ship into a safe anchorage. I beg you would give yourself no concern about saluting. When I have the honour of seeing you we will then concert means for the relief of your sick.

The scurvy.

Relief for
the sick.

I have, &c.,

PHILIP GIDLEY KING.

LE COMMANDANT HAMELIN AU GOUVERNEUR KING.

Devant le Port Jackson, à bord de la corvette

Le Naturaliste,

Monsieur le Gouverneur,

8 messidor, an 10.

26 June.

L'obstination des vents d'ouest et le mauvais tems qui régnera déjà au sud de la côte méridionale de la Nouvelle Hollande, m'ayant contraint d'abandonner momentanément mon projet de traversée, je viens une seconde fois vous demander asile en ce port.

Le Natural-
iste returns
to port.

La manière amicale et généreuse avec laquelle vous m'avez reçu il y a deux mois ne me laisse pas douter de l'octroi de ma demande.

King's
hospitality.

Je vous ramène un soldat qui s'étoit caché à bord. D'après les promesses réitérées que je vous avois faites de n'enlever personne

A military
stowaway.

* Probably the letter of the 23rd June, which precedes this.

1802
20 June.

Hamelin
asks for his
pardon.

de cette colonie sans votre aveu, je me proposois de le remettre comme prisonnier d'état à bord du premier bâtiment anglais que j'aurois rencontré, et alors il eut infailliblement été puni comme déserteur des troupes de Sa Majesté. Mais puisque le hazard me permet de le ramener à son propre corps et de le remettre entre les mains de ses chefs, fort de leur estime, j'oses implorer d'eux sa grace. Je l'ai demandée au Colonel Patterson, mais je n'ignore pas qu'il ne peut la donner sans votre participation ; je vous la demande donc comme une faveur qui sera un nouveau titre à ma reconnaissance. Salue et haute considération, etc.,

EMMANUEL HAMELIN.

[Translation.]

COMMANDER HAMELIN TO GOVERNOR KING.

At the entrance of Port Jackson, on board the corvette *Le Naturaliste*,
Sir, 26th June, 1802.

Le Naturaliste returns to port.

The prevalence of the western winds, and the bad weather which exists on the southern coast of New Holland, having compelled me to abandon temporarily my plan of campaign, for the second time I come to ask you the hospitality of your port.

King's hospitality.

The friendly and generous manner with which you received me two months ago leaves no doubt in my mind as to the result of this request.

A military stowaway.

I bring you back a soldier who concealed himself on board. As I promised you to take nobody away from the colony without your knowing it, I purposed to hand him over as a State prisoner to the first English ship I should happen to meet, when he would have been punished as a deserter from His Majesty's Armies ; but as chance permits me to bring him back to his own country and to hand him over to his own officers, and as I know the sentiments of esteem the latter have for me, I beg to implore them to grant him his pardon. I asked it from Colonel Patterson, but I know he cannot grant it without your sanction. I therefore ask it from you as a favour, which will further entitle you to my gratitude.

Hamelin asks for his pardon.

I am, &c.,

EMMANUEL HAMELIN.

CAPITAINE MILLIUS AU GOUVERNEUR KING.

9 July.
King and
Millius.

Monsieur le Gouverneur, Sydney, le 9 juillet 1802.

Quelque répugnance qu'un homme délicat aie à parler de lui, souvent des circonstances l'obligent à rompre le silence. Je me trouve aujourd'hui dans ce cas, et je tiens trop à votre estime pour me résoudre plus longtems à me taire. Je ne vous entretiendrai pas de tous les faux bruits que l'on fait courir sur mon compte ; je méprise trop la calomnie pour y répondre. Je ne toucherai donc pas une corde qui doit vous être étrangère, et qui ne produiroit sur mes sens que des sons douloureux. Il vous suffira, sans doute, Monsieur le Gouverneur, d'avoir la parole d'un officier qui fit tout pour l'honneur pour qu'on abuse pas davantage de votre bonté. J'ose me flatter qu'elle vous suffira pour vous convaincre de mon innocence.

Je ne vous rappellerai pas, Monsieur le Gouverneur, de la petite scène qui eut lieu chez vous et à laquelle l'absence de ma raison donna lieu, mais où mon cœur n'eut nulle part. Je vous fis mes excuses quelques jours après, et vous eutes la générosité de me pardonner mon étourderie. Voilà la seule faute que j'ai commis, et tout le reste n'est qu'imposture.

1802

9 July.

A "little scene."

Quoiqu'il répugne à ma plume de parler de M. Baudin, je ne pourrai jamais oublier que si j'ai été tout à coup privé de votre société c'est son ouvrage. J'ai pu lui pardonner son injustice en m'accusant journellement de nouvelles fautes qui n'ont jamais existé que dans l'imagination de ceux qui l'aigrisse contre moi, mais fort de mon innocence, je ne cherche nullement à éviter les coups qu'il me porte, et je me borne à gémir et à le plaindre.

Baudin and
Millius.

Pardonnez-moi, Monsieur le Gouverneur, de vous importuner, mais au moment de quitter votre colonie j'ai cru devoir me justifier et de réclamer votre estime dont je fais le plus grand cas.

Je vous salue très respectueusement, etc.,

P. MILLIUS.

P.S.—M. Thomson m'a dit que vous étiez dépositaire de mes certificats de maladie; ce sont des pièces qui me sont absolument nécessaires. Je vous serai infiniment obligé de les lui remettre ou de me faire l'honneur de me les envoyer.

Certificates.

[Translation.]

CAPTAIN MILLIUS TO GOVERNOR KING.

Sir,

Sydney, 9th July, 1802.

Whatever reluctance a gentleman has to speak of himself, circumstances sometimes compel his doing so, and I find myself placed in this position to-day, for I value your esteem too much to keep silent any longer. I shall not tell you of all the false reports which are being circulated about me. I despise calumny too much to even attempt answering them; therefore I shall not touch a string which must be foreign to you, and which would only produce dolorous vibrations on my feelings. Perhaps it will be sufficient for you, sir, to have the word of honour of an officer who has done everything in an honorable manner to prevent people taking advantage any longer of your kindness. I dare flatter myself that it will be sufficient to convince you of my innocence.

King and
Millius.

I shall not remind you, sir, of the little scene which took place at your house, and for which the absence of my reason was wholly responsible, as my heart had no part in it. I apologised a few days afterwards, and you had the generosity to forgive my heedlessness. This is the only fault I have committed, and all the rest is but imposture.

A "little scene."

Although it is repugnant to me to talk about M. Baudin, I shall never forget that the fact of being all at once deprived of your company is his work. I could pardon his injustice in accusing me every day of committing new faults, which existed only in the imagination of those who incensed him against me, but strengthened with my own innocence, I do not try in any way to escape the blows he aims at me; I confine myself to my sorrows and to pitying him.

Baudin and
Millius.

1802 Pardon me, sir, importuning you ; but on leaving your colony I thought
9 July. I had better vindicate myself, and ask for the continuance of your esteem,
which is of great value to me. I am, &c.,

PIERRE MILLIUS.

Certificates. P.S.—Mr. Thomson told me you were possessed of my certificates of
malady, and, as they are documents which are of great importance to me, I
should be much obliged if you would kindly give them to him or do me the
honour of sending them to me personally.

LE GOUVERNEUR KING AU CAPITAINE MILLIUS.

Monsieur, le 9th juillet, 1802.

Governor
King and
Captain
Millius.

Je viens de recevoir votre lettre, et quoique je suis fort
occupé à donner les ordres pour soulager les malheureux, je ne
puis retarder de vous assurer qu'aucune idée discourteuse à votre
compte ne s'est jamais présenté à mon idée, et que j'ai un vrai
plaisir de vous dire que tant à votre conduite ici dont j'ai connu
a été celle d'un gentilhomme. La petite scène dont vous me
parlez, comme il ne m'a pas offensé aucunement, ni personne sous
mes ordres, je l'ai oublié, car je l'ai considéré à ce que je regarde
une légère étourderie.

Baudin and
Millius.

Quand aux raisons que votre commandant peut avoir de n'être
sur les termes d'amitié avec vous, c'est une affaire dont je ne me
suis pas mêlé, excepté qu'un malentendu existe entre vous ; et
comme les affaires publiques qui regarde l'expédition et les devoirs
de l'hospitalité que je dois à la situation de Monsieur Baudin
l'amène personnellement chez moi, il me semblerait que des ren-
contres, situés comme vous êtes, seraient fort désagréable l'un à
l'autre ; c'est pourquoi je me suis empêché de vous inviter ici
depuis l'arrivée du Géographe, et je vous assure que cette cause
n'altera jamais l'estime et la considération avec laquelle je suis,
etc.,

PHILIP GIDLEY KING.

[Translation.]

GOVERNOR KING TO CAPTAIN MILLIUS.

Sir, 9th July, 1802.

Governor
King and
Captain
Millius.

I have just received your letter, and, although I am busy giving
orders for the relief of some unfortunate people, I cannot delay my assuring
you that no discourteous idea on your account has ever entered my mind, and
that I have great pleasure in telling you that all I know of your conduct
here has been that of a gentleman. The little scene you speak of did not
personally offend me nor anybody under my command, and it being so, I
have forgotten everything about it, as I considered it to be a thoughtless
action.

Baudin and
Millius.

As for the reasons your commander may have for not being on friendly
terms with you, it is a matter in which I cannot interfere further than say
that there must be some misunderstanding between you ; and as the public
affairs concerning the expedition, and the duties of the hospitality I owe to
the position of M. Baudin, bring him daily to my house, it seemed to me
that, situated as you are towards one another, frequent meetings would be
disagreeable to both ; this is why I could not invite you here since the arrival
of Le Géographe, but it will never alter the esteem with which,
I am, &c.,

PHILIP GIDLEY KING.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING. 1802

A bord de la corvette le Géographe, Port Jackson,
Monsieur le Gouverneur, Le 23 messidor, an 10. 11 July.

D'après la visite qui vient d'être faite à bord par les charpentiers et calfats, en présence de l'ingénieur Ronsard, on a reconnu et constaté par un procès-verbal que pour les réparations à faire au doublage en cuivre, il étoit absolument nécessaire de virer ou d'échouer le bâtiment; le dommage se trouvant à une profondeur trop considérable pour y atteindre sans avoir recour à l'un de ces deux moyens. Repairs to Le Géographe.

Comme suivant les informations que je me suis procuré, il se trouve dans Sydney Cove un lieu convenable pour l'un et l'autre circonstance; je vous prie de vouloir permettre d'y conduire le bâtiment que je me suis décidé d'échouer, comme le moyen le plus prompt pour les travaux que j'ai à faire. Careening at Sydney Cove.

Je suis, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson,
11th July, 1802.

Sir, From the examination which has been made on board by the carpenters and caulkers in the presence of Engineer Ronsard, it has been found necessary that the vessel should be either careened or beached in order to attend to her copper-lining, as the damaged part is at too great a depth to allow of its being attended to without having recourse to one of these means. Repairs to Le Géographe.

As from information I have received, there is a place in Sydney Cove where both operations can be carried on, I have the honour to ask your permission for the vessel to be taken there, having decided to have her beached, this being the most expeditious means of performing the work to be done to her. Careening at Sydney Cove.

I remain, &c.,

N. BAUDIN.

GOVERNOR KING TO COMMODORE BAUDIN. (King Papers.)

Sir, 11th July, 1802.

I had the honor of receiving yours of yesterday. As the vessel* you request to purchase is the property of an individual, and as I have no reason to suppose His Majesty's Ministers will disapprove of my acceding to your wish, as it is for the advancement of science and navigation, I shall take upon myself the responsibility of allowing you that permission, to which I am the more inclined from the peculiarity of your situation. A Colonial vessel sold to Commodore Baudin.

I have, &c.,

PHILIP GIDLEY KING

* This boat was a Colonial built vessel called the Casuarina, from the wood (coast she-oak) principally used in her construction.

1802

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

17 July.

A Court-Martial
on Le
Géographe.

A bord de la corvette le Géographe, en relâche au Port Jackson,
Monsieur le Gouverneur, le 29 messidor, an 10.

D'après la lettre que vient de m'adresser M. Haris, capitaine de port dans cette colonie, j'ai à vous prier de vouloir bien permettre que comme officier français, et conformément à nos ordonnances de la Marine Militaire, je puisse assembler à bord de la corvette Le Géographe un jury pour prendre connoissance du vol qui a été fait de plusieurs effets appartenant au bâtiment.

J'espère que vous voudrez bien m'accorder votre consentement à ce sujet et trouver bon que j'emploie les moyens qui pourront être nécessaires pour la régularité du jugement qui doit absoudre ou condamner les coupables s'ils sont Français.

Je suis, etc.,
N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson,
17th July, 1802.

Sir,

A Court-Martial
on Le
Géographe.

From a letter sent to me by Mr. Harris, Harbour Master of this colony, I understand that I have to ask your permission, in order that, as a French officer, and in accordance with our navy ordinances, I may assemble a Court-Martial on board the corvette Le Géographe, to try a case of stealing several effects belonging to the aforesaid vessel.

I hope you will give your consent to such a course being taken, and allow me to employ the means which may be necessary to the legality of the verdict which is to acquit or convict the accused, if they are Frenchmen.

I am, &c.,
N. BAUDIN.

GOUVERNEUR KING AU COMMANDANT EN CHEF BAUDIN.

Monsieur le Commandant, Sydney, 17 juillet 1802.

Court-Martial
on Le
Géographe.

En répondant à votre lettre de hier, je n'ai aucune objection de vous assembler un juré, selon vos ordonnances, pour juger les Français de votre bord, pourvu que cette séance soit tenu, jugement prononcé et mis en exécution à bord votre corvette.

Un des gens de police vous attendrez pour vos ordres de faire venir les témoins anglais qu'on pourrait en avoir besoin, pour absoudre ou condamner les coupables.

Je suis, etc.,
PHILIP GIDLEY KING.

[Translation.]

GOVERNOR KING TO COMMODORE BAUDIN.

Sir,

Court-Martial
on Le
Géographe.

Sydney, 17th July, 1802.

In answer to your letter of yesterday's date, I have no objection to your assembling a Court-Martial according to your ordinances, in order to try the Frenchmen belonging to your crew, provided the trial be held, the verdict pronounced and executed on board your corvette. A police officer will wait on you in order to procure the attendance of any English witness you might require for the acquittal or otherwise of the accused.

PHILIP GIDLEY KING.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING. 1802

A bord de la corvette le Géographe, Port Jackson,
Monsieur le Gouverneur, le 3 thermidor, an 10. 21 July.

N'ayant pu parvenir à réparer en entier les avaris de notre doublage en cuivre, en ce que la mer ne s'est pas assez retirée depuis que nous sommes échoués, je me trouve dans la nécessité de virer le Géographe en quille. Ce contre-temps, qui ne laissa pas que de nous donner beaucoup d'embaras, m'oblige de vous prier de prolonger notre séjour dans Sydney Cove, et de vous demander qu'il nous soit permis de mettre le bâtiment dans le lieu où vous avez coutume de virer les vôtres ; aucun autre endroit du port ne pouvant convenir pour une opération de cette nature.

Repairs to
Le Géographe.

Je suis, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson,

Sir, 21st July, 1802.

Having been unable to replace the whole of our copper, owing to the tide not ebbing sufficiently since our vessel has been beached, I find it necessary to careen the Géographe. This mischance, which gives us a great deal of trouble, compels me to ask your permission to prolong our sojourn in Sydney Cove, and to allow us to take the vessel where you usually have yours careened, no other place in the port being adapted for an operation of that kind.

Repairs to
Le Géographe.

I am, &c.,

N. BAUDIN.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord de la corvette le Géographe, Port Jackson,
Monsieur le Gouverneur, le 11 thermidor, an 10. 29 July.

J'ai bien du regret de ne pouvoir m'absenter pour profiter de la circonstance qui vous oblige de vous rendre sitôt à Oxbury. La lenteur avec laquelle vont nos travaux est cause que je perd l'occasion la plus favorable qui pouvoit se rencontrer, et c'est un très grand déplaisir pour moi.

A trip to the
Hawkesbury.

Cependant nous abbatrons demain (samedi), le navire en quille, et j'espère que mardi tout sera fini.

Careening
the vessel.

Je vous serois infiniment obligé si avant votre départ vous vouliez avoir la complaisance de me faire parvenir une permission pour prendre à bord du bâtiment anglais nommé l'Atlas, 800 gallons d'eau-de-vie du Cap de Bonne-Espérance et 150 gallons de vin rouge qu'il a à vendre.

Purchase of
spirits.

Je vous souhaite un heureux voyage, si je ne puis vous accompagner, et vous prie de faire agréer mes respects à Madame King, sans oublier Mademoiselle Elisabeth.

Je suis, etc.,

N. BAUDIN.

1802

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette *Le Géographe*, Port Jackson, 29th July, 1802.

29 July.

Sir,

A trip to the
Hawkes-
bury.

I regret very much I cannot absent and avail myself of the opportunity which compels you to proceed to the Hawkesbury. The slow manner in which our work is proceeding causes me to lose the most favourable opportunity which could be afforded me, and I am very sorry for it.

Careening
the vessel.

However, we shall careen the vessel to-morrow (Saturday), and I hope that by Tuesday next everything will be completed.

Purchase of
spirits.

I should be much obliged if before leaving you would kindly send me a permit to take from the English vessel *Atlas* 800 gallons of brandy from the Cape colony, and 150 gallons of red wine they have for sale.

I hope you will have an enjoyable trip although I cannot accompany you, and beg you to present my respects to Mrs. King and Miss Elizabeth.

I am, &c.,

N. BAUDIN.

GOUVERNEUR KING AU COMMANDANT EN CHEF BAUDIN.

9 Sept.

Monsieur,

Sydney, 9 septembre 1802.

A favour for
Surgeon
Thomson.

J'ai l'honneur de vous envoyer la copie d'une lettre que je viens de recevoir de la part de Monsieur Thomson, un de nos chirurgiens sur l'établissement, et si ma requête ne soit indiscrete, je vous serai bien redevable de lui accorder la grâce qu'il souhaite. Je me suis plus porté à faire cette demande sachant qu'il est un homme fort estimable et qui s'est toujours bien comporté ici où il a resté depuis neuf ans.

PHILIP GIDLEY KING.

[Translation.]

GOVERNOR KING TO COMMODORE BAUDIN.

Sir,

9th September, 1802.

A favour for
Surgeon
Thomson.

I have the honour to send you the copy of a letter I have just received from Mr. Thomson, one of our surgeons of the colony, and if my request is not indiscreet, I should be much obliged by your granting him the favour he solicits. I have been led to asking you this, knowing that he is a very respectable man, and who has always behaved well during the nine years he has been here.

PHILIP GIDLEY KING.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord de la corvette *le Géographe*, Port Jackson,

13 Sept.

Monsieur le Gouverneur,

le 27 fructidor, an 10.

Surgeon
Thomson's
request

D'après la lettre que vous m'avez fait l'honneur de m'écrire le 9 de ce mois, à laquelle se trouve joint une copie de celle que vous a adressé M. Thomson, je me suis entretenu avec le capitaine Hamelin de la demande que fait le médecin. L'intérêt que vous prenez à ce qu'il soit possible de lui accorder cette faveur, et la facilité qu'y trouve le capitaine Hamelin ne présentant nulle difficulté, il a été convenu entre nous qu'il y prenderoit son passage, si toutefois le lieu qu'on lui destine peut lui convenir pour son logement.

granted.

Le capitaine Hamelin est chargé de faire connoître à M. Thomson cette disposition qui vraisemblablement lui sera agréable ; ainsi il doit se préparer à partir incessamment et faire les arrangements qu'il jugera convenables pour les vivres et rafraîchissements dont il aura besoin pour cette traversée.

1802

13 Sept.

His passage
in the
French ship.

J'ai l'honneur d'être, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson.

Sir,

13th September, 1802.

On receiving the letter you did me the honour of writing to me on the 9th inst., containing a copy of Mr. Thomson's letter addressed to you, I spoke to Captain Hamelin about the request of that surgeon. The granting of his request, in which you seem to take great interest, and Captain Hamelin sees no objection, will occasion no difficulty. We have agreed between us that he will take his passage, provided he likes the part of the vessel which will be given him as quarters.

Surgeon
Thomson's
request

granted.

Captain Hamelin will apprise Mr. Thomson of this decision, which will doubtless be agreeable to him. He must, therefore, prepare himself to leave shortly, and make the arrangements he will think necessary to provide himself with provisions and refreshments for his voyage.

His passage
in the
French ship.

I am, &c.,

N. BAUDIN.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord de la corvette le Géographe, Port Jackson,

Monsieur le Gouverneur,

le 2 vendémiaire, an 11.

23 Sept.

J'ai eu l'honneur de vous adresser hier le rapport de l'officier de garde à bord du Géographe, quand on a pavoisé le bâtiment, et je vous fais parvenir aujourd'hui celui des officiers qui étoient présent à cette même époque. Vous pourrez, par ce moyen, vous convaincre qu'il n'est aucun de nous qui ne connoisse les égards qu'on doit, non seulement au pavillon de Sa Majesté Britannique, mais aussi à celui de toute nation, quelque soit sa place dans le système politique de l'Europe.

The respect
due to the
British flag.

La lettre que j'ai adressé à M. Haris, et dont je joint ici une copie, vous mettera à même de juger combien j'ai lieu de me plaindre de la conduite légère et peu réfléchie qu'il a tenu dans le rapport qu'il vous a fait ; conduite qui a occasionné de ma part une lettre de reproche et de réprimande à des officiers qui étoient loin de l'avoir mériter.

Je suis, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson,

Sir,

23rd September, 1802.

I had the honour to send you the report of the officer on duty on board Le Géographe when the vessel was dressed, and I send you to-day those of the officers present at that time. You will be able to see that there is

The respect
due to the
British flag.

1802

22 Sept.

not one amongst us who does not know what regard is due, not only to His Britannic Majesty's flag, but also to that of every European nation, whatever her political system may be.

The letter I have written to Mr. Harris, and which you will find enclosed, will enable you to see to what extent I have to complain of his conduct in the thoughtless and slight manner in which he reported to you, which conduct has led me to reprimand officers who were far from meriting it.

I am, &c.,

N. BAUDIN.

[Enclos No. 1.]

LE COMMANDANT EN CHEF BAUDIN A M. HARRIS.

Monsieur,

The
courteous
treatment
of French
officers by
the English.

D'après ce que vous m'avez fait l'honneur de me dire hier matin de la part de Monsieur le Gouverneur, vous avez bien dû penser que je ferois toutes les démarches qui pourroient m'éclaircir sur un fait qui me paroissoit d'autant plus extraordinaire que de tous les officiers français qui sont employés dans la division que je commande, il n'en est aucun, qui comme moi, ne soit convaincu que nous ne pouvons assez reconnoître les remerciements que nous devons au Gouverneur King, au Colonel Paterson, et aux principaux habitans de cette colonie pour la manière honneste, affectueuse, et distinguée avec laquelle eux ont bien nous recevoir.

Equivocal
and thought-
less reports.

La réponse que j'ai reçu de tous mes officiers en particulier, et que je transmet en original à Monsieur le Gouverneur, est tellement authentique et circonstanciée, que je n'ai pas vu sans regret que c'étoit sur des rapports équivoques et bien peu réfléchis que vous lui avez porté une plainte d'autant plus mal fondée qu'elle a donné lieu à un manque d'égard dont j'aurois à me plaindre officiellement si je ne connoissois pas les raisons qui l'ont occasionné.

Baudin
reproaches
his officers.

Quoiqu'il en soit, il n'en est pas moins vrai que par trop de confiance en ce que vous m'avez dit, j'ai adressé une lettre amère et de reproches à tous mes officiers, tandis que par leur réponse, dont la véracité ne peut être contestée, ils se sont scrupuleusement conformés aux lois d'honneur, de loyauté, et de politesses qui sont la base de leur conduite.

Honouring
foreign
nations.

Si vous voulez avoir la complaisance de parcourir les lois d'honneur de la Marine Française, lois que nous avons toujours respectées, vous y varez à l'article 11, chapitre 17, page 268, que la place d'honneur que doit occuper le pavillon d'une nation étrangère qu'on veut distinguer doit être placé du côté de Stribord à la grande vergue. La même loi ajoute, quand on ne sera pas dans le cas de faire cette distinction, cette même place ne sera jamais occupée que par un pavillon français.

Baudin's
complaint.

Jugez donc Monsieur, si après avoir strictement remplis cette formalité, je n'ai pas le droit de me plaindre amèrement de votre procédé, comme de celui de ceux qui vous ont accompagné, ou aux propos indiscrets qu'on a tenu à ce sujet, propos que l'ignorance de nos usages auroient au moins dû suspendre jusqu'à une plus

ample information. Vous pourriez peut être me dire pour vous excuser, ainsi que ceux qui se sont plaints, que votre façon de pavoiser les bâtiments anglais n'est pas la même; mais dans ce cas j'aurois à vous répondre que ne la connoissent pas, je ne me serois jamais permis la moindre observation, et que je n'aurois pu m'imaginer que ce fut par mépris ou tout autre raisons aussi peu concéquentes que vous n'eussiez pas placé le pavillon français dans le lieu établis par nos réglemens pour le pavillon de toute nation à laquelle on doit des égards.

1802

23 Sept.

Harris's
indecorous
conduct.

J'espère Monsieur, que vous voudrez bien faire connoître par une démarche honneste envers des officiers français qui ne se sont conduit que par honneur et loyauté, que c'est par erreur ou de faux rapports que vous avez douté un seul moment de leur intention, d'autant qu'aucun d'eux n'ignorent les égards et la considération qu'on doit au pavillon de Sa Majesté Britanique, raison pour laquelle on l'a placé dans le lieu privilégier qu'il a occupé à bord de la corvette que je commande.

Baudin
hopes Harris
will explain.

Ce qui est arrivé au Casuarina qui portoit comme moi *le pavillon anglais à sa grande vergue du côté de Stribord*, et non pas dans le lieu qu'il vous a plu d'indiquer, est trop public pour être révoqué en doute. Au surplus j'adresse à Monsieur le Gouverneur une copie de cette lettre en ce que votre conduite dans cette circonstance a eu trop d'éclat et de légèreté pour qu'il n'en soit pas informé.

The British
flag on the
Casuarina.

J'ai l'honneur d'être, etc.,

N. BAUDIN.

[Translation of Enclosure No. 1.]

Sir,

COMMODORE BAUDIN TO MR. HARRIS.

After what you did me the honour of telling me yesterday morning in the Governor's name, I took all the necessary steps to get information on a matter which appeared to me so extraordinary, as among all the French officers serving in the division which I command there is not one who is not, like myself, convinced of the indebtedness in which we stand to Governor King, Colonel Paterson, and the principal inhabitants of the colony for the courteous, affectionate, and distinguished manner in which they have received us.

The
courteous
treatment
of French
officers by
the English.

The answers I received from my officers individually, and which I am transmitting to the Governor, are so authentic and minute that I did not learn without regret that it was on equivocal and thoughtless reports that you formulated a complaint so ill-founded that it has given rise to a want of regard, for which I should have to complain officially, if I did not know the reasons which caused it.

Equivocal
and thought-
less reports.

However, it is none the less true, that through trusting to what you told me, I have sent a letter full of bitter reproaches to all my officers; whilst it appears from their answers, the truthfulness of which cannot be doubted, that they have scrupulously adhered to the laws of honour, loyalty, and politeness, which are the bases of their conduct.

Baudin
reproaches
his officers.

If you will glance over the laws of honour of the French Navy, laws to which we have always adhered, you will see at article 11, chapter 17, page 268, that the place of honour for the flag of a foreign nation which we intend to distinguish must be on the starboard of the main yard arm. The same law further says: When it will be unnecessary to make such distinction, this place will only be occupied by a French flag.

Honouring
foreign
nations.

1832

23 Sept.

Baudin's
complaint.Harris's
indiscreet
conduct.

You will therefore see that after having strictly adhered to this rule, I have the right to complain bitterly of the way in which you have proceeded in this matter, as well as the persons who accompanied you, and of the indiscreet tales circulated on the subject. In ignorance of our customs, these tales should at least have been withheld until further information had been obtained. In excuse for yourself and those who complained, you may say that your way of dressing the English vessels is different from ours; but in that case I could answer you that not knowing that way I should never have taken the liberty of passing any remarks, and I could never have imagined that it was out of contempt or other reasons of disrespect that you had not hoisted the French flag at the place assigned by our regulations to that of the nations to which distinction is due.

Baudin
hopes Harris
will explain.

I hope, sir, that it will be your pleasure to show, by taking a civil course towards French officers who behaved honorably and loyally, that it was in error and on false reports being made that you doubted their intention, so much so that not one among them is ignorant of the respect and consideration which is due to his Britannic Majesty's flag, and this is the reason why it was hoisted in the privileged place on the corvette I command.

The British
flag on the
Casuarina.

What happened to the Casuarina, which, *like me, flew the English flag on the starboard of her main yard arm*, and not where you had indicated it should be placed, is made too public to be doubted; besides, I am sending to the Governor a copy of this letter, as your conduct in this circumstance has created too great a sensation and has been too thoughtless not to be reported.

I am, &c.,

N. BAUDIN.

[Enclos No. 2.]

M. BREVEDENT AU COMMANDANT EN CHEF BAUDIN.

Citoyen commandant,

Le 2 vendémiaire, an 11.

M. Breve-
dent defends
himself.

D'après les reproches que vous venez de me faire, je puis vous assurer sur mon honneur que j'avois fait placer le pavillon anglais dans l'endroit qu'on fixé nos ordonnances pour les nations dont la navigation est plus étendue. Aussi, je suis d'autant plus surpris de ce que vous me ditte à ce sujet que je contoais principalement me faire remarquer en donnant au pavillon anglais cette place d'honneur qu'il auroit conservée tout le jour si le patron de la goëlette l'Endeavour, capitaine Joseph Olifante, ne fut venu à bord, porteur d'un billet de votre part qui me prioit de lui donner un pavillon anglais pour l'arborer à bord de son bâtiment. N'ayant que celui qui étoit en place, je ne me suis permis aucune objection, et lui ai donné sur le champs le seul que j'avois en le remplaçant par un pavillon de signaux.

BREVEDENT,

Officier commandant à bord.

[Translation of Enclosure No. 2.]

M. BREVEDENT TO COMMODORE BAUDIN.

Citizen Commandant,

23rd September, 1802.

M. Breve-
dent defends
himself.

After the reprimand I have received from you, I may assure you on my honour that I had the English flag hoisted at the place given in our regulations to the nations which have the most important navigation. Therefore, I am much surprised at what you tell me on this subject, for I thought I was distinguishing myself in giving to the English flag this place of honour, which it would have occupied the whole day had not the master of the schooner

Endeavour, Joseph Oliphant, come on board bearing a note from you, which requested me to give him an English flag, so that he might hoist it on board his schooner. Having no other than the one flying, I made no objection and gave him it at once, replacing it by a signal flag.

1802

23 Sept.

BREVEDENT, Officer Commanding.

[Enclos No. 3.]

M. RONSARD AU COMMANDANT EN CHEF BAUDIN.

A bord de la corvette le Géographe,
Citoyen commandant, le 2 vendémiaire, an 11.

Le pavillon anglais a été hier hissé au tribord au bout de la grande vergue qui est la première place d'honneur qu'auroit occupé le pavillon national si j'avois été chargé du pavoisement. Les personnes qui ont rapportée au Gouverneur qu'on n'avoit affecté de mettre le pavillon anglais dans l'endroit le moins apparent ne sont sans doute pas à même d'apprécier l'honneur qu'on a fait à la nation anglaise.

M. Ronsard's
account.

Salue et respect,

RONSARD.

[Translation of Enclosure No. 3.]

M. RONSARD TO COMMODORE BAUDIN.

On board the corvette Le Géographe,
Citizen Commandant, 23rd September, 1802.

The English flag was hoisted on the starboard of the main yard arm, which is the highest place of honour I should have assigned to the national flag had I been entrusted with the dressing of the vessel. Those persons who reported that we hoisted the British flag in the least conspicuous place of the corvette are not in a position to appreciate the honour which has been done the English nation.

M. Ronsard's
account.

I have, &c.,

RONSARD.

[Enclos No. 4.]

M. FREYCINET AU COMMANDANT EN CHEF BAUDIN.

A bord du Géographe,
Citoyen commandant, le 2 vendémiaire, an 11.

J'ai l'honneur de vous assurer que la place occupée hier dans notre pavoisement par le pavillon anglais étoit celle de tribord derrière. Cette place, vous le savez, n'est occupée en France que par le pavillon national, et c'est par excès de déférence que nous l'avons accordée aux couleurs anglaises.

Lieut.
Freycinet's
account.

Je vous salue, etc.,

HENRI FREYCINET,

Lieutenant de vaisseau.

[Translation of Enclosure No. 4.]

LIEUTENANT FREYCINET TO COMMODORE BAUDIN.

On board Le Géographe,
Citizen Commandant, 23rd September, 1802.

I have the honour to assure you that the place occupied yesterday by the English flag in our dressing of the vessel was on the starboard of the main yard arm. This place, as you know, is only occupied in France by the national flag, and it was by excess of deference that we gave it to the English colours.

Lieut.
Freycinet's
account.

I have, &c.,

HENRI FREYCINET,

Naval Lieutenant.

1802

GOVERNOR KING TO COMMODORE BAUDIN.

25 Sept.

Sir,

Sydney, 25th September, 1802.

The English
flag on
French
vessels.

Mutual com-
pliments.

The English
mode of
honouring
foreign flags.

King's
reasons for
requesting
an explana-
tion.

The
explanation
perfectly
satisfactory.

King's
Orders to be
made public.

I had the honor of receiving your letter of yesterday, enclosing the copy of a letter you had written to the Naval Officer respecting the message delivered by the former to you from me regarding the situation the English ensign was placed in on board your vessels when dressed on the 23rd instant, also three letters from officers of the *Geographe* to you containing their reports on that subject. In return I have the honor to transmit you a copy of my letter to the Naval Officer and his answer thereto, as well as a letter from him to you accounting for the conduct you reprobate so much. To that answer it is necessary I should add that upon getting up in the morning of the 23rd instant I observed the *Cassuarina* was dressed with a number of colours, and on sending a person to the hill I found that *Le Geographe* was also dressed. As I was not ignorant of the occasion being the New Year's Day observed by France, I sent immediate orders to the English ships in the cove and the battery to hoist their colours in compliment to the French flag. Being engaged in business the whole of the day I did not observe the situation of the English flag on board *Le Geographe*. That on board the *Cassuarina* was removed to enable the *Endeavour* (from which vessel it was borrowed) to comply with my orders. The Naval Officer next morning gave me the information stated in his letter, in consequence of which I desired him to deliver the message he quotes, which I was induced to do for two reasons: the first was that the nations with which we are at peace and in whose port any of our men-of-war are, the flag of that nation is always shown at the fore-top-gallant mast-head. Not knowing that any other regulation existed with you, I could not receive the report of the American flag (of which nation only one merchant vessel was in the harbour) being hoisted at the fore-top-gallant mast-head, the French flag at the main, and the Spanish at the mizen, without requesting an explanation, which was due to the honor of His Majesty's flag. My second reason was, knowing that neither you nor any of your officers could have any intention of showing the least inattention to the English flag, and that if any neglect was the cause of that supposed slight it would be explained.

The explanation which you have communicated to the Naval Officer, and the quotation from your instructions on that behalf, is fully satisfactory and convincing that instead of any slight being intended to the English flag the utmost attention was paid to it by the officers of your ships.

As a proof of which I have the honor to enclose a copy of the General Orders* that will be made public to-morrow on that subject,

* Ante, p. 812.

as well to do away with any idea that His Majesty's flag has suffered any inattention by you or your officers as to prevent any further explanation on similar subjects. 1802 25 Sept.

With respect to the Naval Officer, I must confess I see no cause for the severe strictures you have made on his conduct, which has been uniformly guided by the most honorable motives and unwearied attention, not only for the accommodation and welfare of strangers, but also in watching over the police of this part of the colony, and I cannot help lamenting that your anxiety to show the attention you wished to pay the English nation should have been the cause of your writing the officers on board your ship a letter of reproach and reprimand for an affair that might have been explained in the same manner as the message was conveyed. Undeserved censure of Surgeon Harris.

I have, &c.,

PHILIP GIDLEY KING.

MR J. HARRIS TO GOVERNOR KING.

Sir,

Sydney, 25th September, 1802.

I rec'd the honor of yours of this date, enclosing a translation of a letter from the French Commodore to me,* and which you desire that I will inform you of the particulars alluded to in that letter, and what passed between the Commodore and me. The French Commodore and Surgeon Harris.

On the 23rd inst. I was told by Cap. Smith, the commander of an American vessel in this port, that Capt. Campbell, of the Harrington, had hauled down his colours, which you had ordered the ships in the harbour to hoist in honor of the French, and on demanding the reason was told that it was owing to the British flag not being placed in a more elevated situation, and at the same time desiring me to observe the place. Wishing to be fully persuaded as to this point, I went with Capt. Smith on board the Harrington and enquired the reason why he (Capt. Campbell) had hauled down his colours contrary to your orders, to which he replied that the English flag must be placed higher before he would again hoist his ensign. A reprisal. A patriotic captain.

I took him, with Capt. Smith, in my boat down the harbour to where the French ships lay, and observed, as was reported, the English flag at the main yard-arm, with the American ensign at the fore-top-gallant mast-head and a Spanish flag at the mizzen-top-gallant mast-head; and as it was after sunset when I returned to town I did not think of mentioning it to you that night, but in conversation the following morning mentioned it to you as words of course, when you desired that I would deliver the following message to the Commodore, viz.: "That you was sorry that the British flag had not been hoisted in a more conspicuous part; that you did not suppose that the Commodore knew of it, but that it was thro' the mistake of some of the officers on board." This I The mode of dressing French ships. A protest from King.

* Ante, p. 958.

1802
25 Sept.
Commodore
Baudin's
rejoinder.

delivered, and was told by the Commodore that "he supposed the colours had been taken promiscuously out of the chest and hoisted; that had he known that any remark would have been made thereon, he would have placed the English flag at the main-top-gallant mast-head; but, as he did not understand enough of English or me of French, that he would wait on your Excellency and explain it to you." I heard no more about it until I rec'd his letter, in which he makes many illnatured remarks on my conduct. I have to request your Excellency will have the goodness to forward the enclosed answer to his letter (not in justification of my conduct, as I do not conceive I have erred), but to prevent any misrepresentation.

I have, &c.,
J. HARRIS.

MR. J. HARRIS TO COMMODORE BAUDIN. (King Papers.)

Sir, Sydney, 25th September, 1802.

Harris and
Baudin.

I have received your's of yesterday's date, wherein you make some animalversions on my conduct respecting a message delivered you by me by order of His Excellency the Governor, and least that other people as little disposed to do me justice or be friendly as yourself should twist or torture my words by misrepresentation, I beg leave, before I reply to the subsequent parts of your letter, to state the message which I delivered to you. viz.: "That His Excellency the Governor was sorry to say that it had been reported to him that the British flag had been hoisted at the main yard-arm on board *Le Geographe* and equally as low on board the *Casuarina*; that being the case, he did not suppose it was done by the knowledge of you, but thro' the mistake of some of the officers on board, and he was sorry it had not been put in a more conspicuous position." This, sir, was the message which I delivered you.

The
Governor's
message.

Attention to
the French.

You begin by stating how much you and your officers are indebted to the Governor, Lieut. Colonel Paterson, and others for civilities received from them. On this I have nothing to remark, as you must be the best judges of these things. You state having received letters from your officers (which you transmitted to the Governor) in answer to one written them by you, which are so circumstantial and authentic that you have not seen without regret that it was on a slight, unfounded, and equivocal report of mine to His Excellency that you was obliged to do so. This I will prove is unfounded on your part, as no official complaint was made by me to His Excellency, further than remarking, in general conversation, the situation in which the British flag was placed in on board your vessels, and that nothing was mentioned by me that was not a fact, and as such, from the confidence the Governor places in me, he thought it most advisable to make me the bearer of the message than write to you officially, expecting an explanation as

Harris's
report
to the
Governor.

His dis-
claimer.

friendly as the message. I also further assert, in direct contradiction to you, sir, that I was guilty of no imprudence or impropriety whatever, having conducted myself as an officer and a gentleman, and obeyed the orders of the Governor. If, sir, you have written a bitter letter of reproach to your officers, and of whom you say you have the highest opinion of their conduct, loyalty, and honor, &c., I cannot be answerable for your conduct in this respect, which might, perhaps, have been avoided by your explaining to me or to the Governor, what was the custom observed by the marine of your nation in dressing their ships.

1802

25 Sept.

The origin of the difficulty.

Those regulations I was ignorant of, but am now much obliged by your quoting them to me, and am convinced that your officers have scrupulously attended thereto. You say that, after having fulfilled this formality (alluding to your marine laws), "if you have not a right bitterly to complain of my proceedings, as well as those who accompanied me, with regard to the improper terms made use of on that subject." I am at a loss what you allude to by "those who accompanied you." Perhaps it is the mistake you acknowledge to have been made by you respecting the masters of the merchant vessels accompanying me to His Excellency. If so, this part of yours is done away with, as they neither accompanied me to the Governor or to you; and you well know that no person but myself was at your house when I delivered you the message from His Excellency.

Baudin's complaint.

without foundation.

It is true I profess myself ignorant of a flag of honor being hoisted at the starboard main yard-arm; but in this I am not singular, as there is not a private soldier or sailor in this colony that does not know that the flag of a distinguished nation is always hoisted at the fore-top-gallant mast-head. But your information, and that of your officers, has been perfectly satisfactory, and had you informed me, at the time I delivered you the Governor's message, of its propriety, my explanation thereon would have fully satisfied him, and prevented the disagreeable letter of which you complain that you was necessitated to write to your officers thro' my imprudence, as you are pleased to term it. I cannot help remarking the word imprudence, conscious that it does not rest with me, sir.

The place of honor for a foreign flag.

You say that you hope I will, by a civil conduct (for so I construe *démarche honneste*), convince the French officers that I never doubted their intention of the distinction due to the British flag. In what instance, sir, have you ever seen any incivility or inattention by me to either you or your officers? Did I know that I had ever been remiss in duty towards your ships, or wanting in civility to either you or your officers in any respect, no man would more readily come forward than myself to acknowledge the fault; but knowing not to have erred, I shall decline coming forward to make any acknowledgement whatever to either you or your officers.

Harris's demeanour towards the French officers.

Not having offended, will not apologise.

1862

25 Sept.

Harris
courts an in-
vestigation.

You state that my conduct has appeared in too public a light to be passed, and that you have transmitted a copy of your letter to me to His Excellency for his inspection.

I am much obliged to you for this last part of your politeness, as there is no part of my conduct but that I would at all times wish His Excellency to be made acquainted with, as I know him to be a man of too much honor, integrity, and justice to be biassed by any aspersion or misrepresentation, and in whatever point of view you may choose to place my conduct you will always find me ready to come forward to support it.

I have, &c.,

JOHN HARRIS.

LE COMMANDANT EN CHEF BAUDIN A MADAME KING.

A bord de la corvette le Géographe, Port Jackson,

29 Sept.

Madame,

le 8 vendémiaire, an 11.

Baudin's
donation to
the Orphan-
age.

A la veille de mon départ, je prend la liberté de vous adresser cinquante punds monnaie anglaise, que je vous prie de vouloir bien accepter pour être employées au soulagement des orphelains.

Quoique étranger à cette colonie, j'espère que vous ne me priverez pas du plaisir que je ressens d'avoir une occasion convenable à vous prouver combien j'ai de respect pour de semblable établissements, surtout lorsqu'ils sont surveillés par des personnes qui, comme vous, savent en apprécier l'utilité pour le présent et les avantages pour l'avenir.

Je suis, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO MRS. KING.

On board the corvette Le Géographe, Port Jackson,

29th September, 1802.

Madam,

Baudin's
donation to
the Orphan-
age.

On the eve of my departure I take the liberty of sending you £50 of English money which I beg you to accept, to be distributed for the assistance of orphans.

Although I am a foreigner in this colony, I hope you will not deprive me of the pleasure I have in finding a suitable opportunity of proving to you what respect I have for such institutions, especially when they are supervised by persons who, like yourself, know how to appreciate their usefulness for the present and their advantages for the future.

I have, &c.,

N. BAUDIN.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord de la corvette le Géographe, Port Jackson,

18 Oct.

Monsieur le Gouverneur,

le 27 vendémiaire, an 11.

Flour for
French
ships.

C'est avec peine que je me trouve encore dans la nécessité de m'adresser à vous afin d'obtenir la quantité de farine dont j'ai essentiellement besoin pour la continuation de ma campagne et le retour du Naturaliste en France.

Biscuits.

Vous n'ignorez pas que le biscuit que m'a fourni M. Palmer est de nature à ne pouvoir se garder longtemps, et il est certain que

Chilop

67



(188) *un* *de* *quelques* *jours* *il* *partira*

Chilop

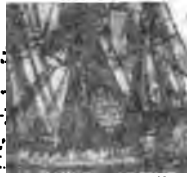
De plain que je

Prouver combien

Vous qu'il sont de

me apprécier l'at

Madame



Bar
don
the
act

- Neant d'avoir une occasion convenable,
j'ai de respect pour de semblable établis-
sement par des personnes, qui, comme vous,
sont pour le présent et les avantages pour l'ar-
tisan avec respect

Votre très humble et très
obéissant Serviteur.

celui que j'ai embarqué, quoique choisis avec soin, ne sera pour nous qu'une ressource passagère et très peu convenable au temps que j'ai à tenir la mer avant que d'arriver dans un établissement où il soit possible de le remplacer. 1802
18 Oct.

L'intérêt que vous avez constamment pris au succès de l'expédition qui m'est confiée, en nous facilitant tous les moyens de réparer nos bâtiments et notre santé pendant la relâche que nous venons de faire, me fait espérer que par une suite de vos bontés pour nous vous voudrez bien prendre ma demande en considération et nous accorder la permission de prendre à bord de l'Alexandre soixante barils de farine, quantité bien au-dessous de celle qui nous seroit nécessaire, mais que j'ai bornée le plus qu'il m'a été possible, afin que vous soyez moins gesné pour la répartition que vous pourrez avoir à faire de celle qui vous restera. King's hospitality.
Sixty casks of flour required.

Nos consommations sur la rade ont aussi diminuées nos viandes salées, et vingt-cinq barils de bœuf salé nous sont également nécessaires pour remplacer ceux dont nous avons fait usage. Salt meat.

J'ai l'honneur d'être, etc.,

N. BAUDIN.

P.S.—Voulez-vous bien, Monsieur le Gouverneur, avoir la complaisance de nous faire donner deux millier de biscuit de celui que vous avez en réserve et provenant des bâtiments anglais venant de Londres. La quantité que vous en avez pourra peut-être vous permettre de nous rendre ce service. Biscuits.
N.B.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson,
18th October, 1802.

Sir,

I am very sorry to be again obliged to trouble you to obtain the quantity of flour I urgently require for the continuation of my voyage and the return of Le Naturaliste to France. Flour for French ships.

You are doubtless aware that the biscuits supplied to us by Mr. Palmer will not keep for a long time; and it is certain that those I have shipped, although they have been chosen with great care, would only be a temporary resource quite inadequate to the length of time I shall be at sea before reaching a place where I could replace them. Biscuits.

The interest you have always shown for the success of the expedition I have been entrusted with, in providing for us the means of repairing our vessels and regaining our health during the stay we have made in your port, causes me to hope that, to add to your former kindnesses, you will give me permission to take from on board the Alexander sixty casks of flour, which is a quantity far lower than the one which would be necessary to me, but which I have cut down the most I could, so that you might not be inconvenienced in the distribution of the remaining part. King's hospitality.
Sixty casks of flour required.

Our consumption, when in port, has also diminished our supply of salt-meat, and twenty-five casks of it are also necessary to replace what has been consumed. Salt meat.

I have, &c.,

N. BAUDIN.

P.S.—Would you, sir, be kind enough to let us have about 2,000 biscuits from those you have in reserve, brought by the English vessels just arrived from London. The quantity you have will perhaps allow you to render me this service. Biscuits.
N.B.

1802

2 Nov.

LE COMMANDANT EN CHEF BAUDIN AUX ADMINISTRATEURS-
GÉNÉRAUX DES ÎLES DE FRANCE ET DE LA RÉUNION.A bord de la corvette le Géographe, Port Jackson,
Citoyens, le 12 brumaire, an 11.Baudin at
Port
Jackson.

J'ai eu l'honneur de vous informer de ma relâche dans cette colonie par le bâtiment américain la Fanny, capitaine Smith, qui se rend à Batavia. Les détails dans lesquels je suis entré pour vous faire connoître la triste situation dans laquelle je me trouvois alors, vous auront mis à même de juger jusqu'à quel point de détresse nous étions réduits, et combien nous avons été heureux d'avoir choisi ce port de préférence à tout autre.

Generous
hospitality
of Governor
King.

L'assistance que nous y avons trouvé ; les bontés pour nous tous du Gouverneur King ; ses soins généreux pour le rétablissement de nos malades ; son amour pour le progrès des sciences ; tout enfin sembloit s'être réuni pour nous faire oublier les désagréments d'une navigation longue, pénible, et souvent contrariée par les éléments. Cependant la paix n'étoit point encore connue et nous ne l'avons apprise que quand nos malades étoient rétablis, nos bâtiments réparés, nos vivres de campagnes embarquées, et notre départ très prochain.

An example
to Europe.

Quelque soient les devoirs de l'hospitalité, le Gouverneur King a donné à l'Europe entière le spectacle d'un trait de bienfaisance qui doit être connu et que j'ai du plaisir à publier.

State of the
provision
store at
Sydney.

A notre arrivée au Port Jackson les ressources en blé étoient peu abondantes et celles pour l'avenir encore incertaines. L'arrivée de 170 hommes n'étoit pas une circonstance heureuse pour le moment ; néanmoins nous fûmes bien accueillis, et quand nos besoins présent et à venir furent connus, on y suppléa en retranchant une partie de la ration journalière accordée aux habitants et à la garnison de la colonie. Le Gouverneur en donna le premier l'exemple. Par ce moyen qui honnore autant l'humanité que celui qui le mit en usage, nous avons joui d'une faveur que peut-être nous eussions difficilement éprouvée partout ailleurs.

Returning
the compli-
ment.

D'après de semblables procédés, qui serviront sans doute pour l'avenir d'exemple à toutes les nations, je me fais un devoir, tant par reconnaissance que par émulation, de vous recommander particulièrement M. —, commandant le bâtiment de S.M. —*

France and
England.

Quoique ses projets ne soient point d'aller directement à l'Isle de France, il est possible que quelques circonstances imprévues le fasse relâcher dans la colonie dont l'administration vous est confiée. Témoin de la manière dont ses compatriotes nous ont traités en toute occasion, j'espère qu'il sera convaincu par sa

* Both these blanks occur in the original. The letter was evidently handed to Governor King by Commodore Baudin, in case it should be required, but was retained by King amongst his papers and never used. Had it been in the hands of Flinders when forced to touch at the Isle of France in the Cumberland, it might have prevented any question, real or pretended, as to his *bonâ fide*. Indeed, it is not unlikely that it was originally intended for Flinders.

propre expérience que les Français ne sont ni moins hospitaliers, ni moins bienfaisants ; et alors sa nation n'aura plus sur nous que l'avantage d'avoir fait en temps de guerre ce que des moments plus heureux nous permettront de lui rendre en temps de paix.

1802

2 Nov.

Je suis, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO THE ADMINISTRATORS-GENERAL OF THE ISLANDS OF FRANCE AND REUNION.

On board the corvette *Le Géographe*, Port Jackson,

Citizens,

2nd November, 1802.

I have the honour of informing you by the American vessel the *Fanny*, Captain Smith, which goes to Batavia, of my stay in port in this colony. The details I have entered into to let you know the sad position in which I was then, will have enabled you to judge the state of distress we had been reduced to, and how fortunate we have been in choosing this port in preference to others.

Baudin at Port Jackson.

The assistance we have found here, the kindness of Governor King towards us, his generous attentions for the recovery of our sick men, his love for the progress of science—in short, everything seemed to have united to make us forget the hardships of a long and painful voyage, which was often impeded by the inclemency of the weather; and yet, the fact of the peace being signed was unknown, and we only heard of it when our sick men had recovered, our vessels had been repaired, our provisions shipped, and when our departure was near at hand.

Generous hospitality of Governor King.

Whatever the duties of hospitality may be, Governor King has given the whole of Europe the example of a benevolence which should be known, and which I take a great pleasure in publishing.

An example to Europe.

On our arrival at Port Jackson the stock of wheat there was very limited, and that for the future very uncertain. The arrival of 170 men was not a happy circumstance at the time, yet we were well received; and when our present and future wants were known, they were supplied by shortening part of the daily ration allowed to the inhabitants and the garrison of the colony. The Governor first gave the example. Through those means, which do so great honour to the humane feelings of him who put them into motion, we have enjoyed a favour which we would perhaps have experienced much difficulty in finding anywhere else.

State of the provision store at Sydney.

After such treatment, which ought in future to serve as an example for all the nations, I consider it my duty, as much out of gratitude as by inclination, to recommend particularly to you, Mr. ———, Commander of H.M.S. ———

Returning the compliment.

Although he does not propose to call at the Isle of France, it may be possible some unforeseen circumstance might compel him to put into port in the colony, the government of which is entrusted to you. Having been a witness of the kind manner with which his countrymen have treated us on every occasion, I hope he will be convinced by his own experience that Frenchmen are not less hospitable and benevolent; and then his mother country will have over us the only advantage of having done in times of war what happier times enabled us to return to her in time of peace.

France and England.

I have, &c.,

N. BAUDIN.

GOVERNOR KING TO LORD HOBART.

My Lord,

9th November, 1802.

9 Nov.

In this place I respectfully request your Lordship's reference to my general letter now sent,† and the enclosures to the Transport Board, for the inhuman treatment on the voyage of the

Convicts on the Atlas.

* See note on p. 965.

† Dated 30th October, paragraphs 7 and 8, ante p. 868.

1802

9 Nov.

convicts who came by the Atlas. The quantity of spirits a bulky private trade the master had on board having greatly contributed to the mortality that prevailed in that ship, I forbore any of the spirits being landed. For what has followed I humbly request your Lordship's candid perusal and consideration of the enclosed correspondence, and my further remarks thereon.

The French
officers.

On receiving the French Commadore's letter, No. 1, Lieu Col'l Paterson being then at Parramatta, I communicated the circumstances to him, as contained in the letters, Nos. 1 and 2, and hoped he would have seen Capt'n Kemp's conduct in such a point of view as to require his making an apology to the French officers and myself, without convening and consulting the officers of the Corps, the mischief of which had been but too visible on former occasions. I was sorry to find by his letter No. 3, that he had called a meeting of the officers of the Corps, and requested me to order a meeting of the civil and military officers for the purpose of satisfying me of the zeal he has had to support me the Government, &c.

Paterson
and King.

The officers.

Former examples now convinced me that all hopes of the business being settled by the Commanding Officer of the Corps himself was at an end. And knowing what was to be expected from former meetings of that kind, where several officers of the Corps were inimical to the Colonel as well as myself, I sent Adj't Minchen the note No. 5, to which I received the answer No. 6, and soon after Colonel Paterson's letter, No. 7, enclosing an apology, No. 8, which the officers of the Corps required Capt Kemp to make the French officers, whose answer is contained in No. 24, which I presume is sufficient proof of the idea that the officers of the Corps and the French officers had of Capt'n Kemp's improper conduct towards the latter, who had every claim to hospitality and undeserving insult. Thus the explanation and reparation required by the Commadore and the French officer ended. The paper, No. 9, signed by the officers of the Corps containing a mutilated extract of my letter to Col'l Paterson the 4th Oct., by introducing the word "complaint," as stated in my letter, No. 14, joined to Adj't Minchen's declaration on his honor in No. 10, which totally contradicts the express sense conveyed by his words in his note No. 6, in answer to mine of No. 5, appeared so much calculated to throw doubt on what he had advanced to be true, as contained in the four first paragraphs of my letter, No. 2, to Col'l Paterson, that I found it necessary to write Col'l Paterson the letter No. 11, which, with the deposition taken in consequence thereof, and my letter, No. 14, I hoped would enable him to judge of himself and for himself, as stated in the 8th, 9th and 10th paragraphs of my letter, No. 14. Hence far these substantiated proofs may operate on your Lordship's mind, I shall not presume to anticipate, as it appears Co

The
Frenchmen.

Adjutant
Minchin.

Paterson
and King.

Paterson, by his answer, No. 16, instead of using his own opinion refers it to a General Court-Martial to determine which of the two officers had acted with candour or otherwise. Col'l Paterson having in No. 16 repeated his request of a meeting being convened of the officers, civil and military, for their testimony, &c., I declined that measure for this reason: that had I consented, my presence must have been necessary, to have stated (whatever that testimony might have been respecting the support Col'l Paterson had given me, &c.) His and the other officers of the Corps decided opposition to my endeavours to do justice in the case of L't Marshall, which is now before your Lordship, and brought on my being treated with public insult by those officers, 'till Col'l Paterson found it necessary to act for himself, but not 'till he had been prevailed upon to sign a public letter insinuating complaint against me, addressed to His Royal Highness the Duke of York's secretary, and a private letter to our mutual friend, Sir Jos. Banks, both endeavouring to traduce my public character, unknown to me 'till they were sent away.* The artful manner in which these dark attacks were communicated to me (by those Colonel Paterson had consulted in writing both), and his quitting the combination entered into against me, which drew on him the duel with Capt'n M'Arthur of the Corps, must have become subjects of consideration and animadversion had I allowed of such a meeting as he requested and in which I must have stated these and other circumstances in contradiction of his assertions in giving me every assistance, &c. Delicacy to the situation he holds prevented my allowing any such meetings, having from experience and recent proof known the evil tendency of them; but in stating these my reasons for declining his request, I feel it an indisputable justice to say, that in my occasional absences on the public service from Sydney that I have generally found everything well managed under L't-Governor Paterson's directions, assisted by Mr. Harris, as I have hitherto been, and I am well convinced and warranted in asserting that, whenever Col'l Paterson acts from his own sentiments, he does what is justly right and strictly honourable.

1802

9 Nov.

The case of
Lieut.
Marshall.King and
Paterson.Paterson
and
Macarthur.King's
reasons for
not calling
meeting of
officers.

Soon after taking the command I found it necessary to seek the assistance of an officer to manage the police of this settlement as a magistrate under my direction and that of the L't-Gov'r's in my absence. Mr. Harris, surgeon of the New South Wales Corps, who had ever maintained the most respectable character as a gentleman, joined to an unwearied activity and intelligence, was anxious to give that unpopular and unrewarded assistance. Col'l Paterson highly approved the choice I had made, and gave his hearty consent to it. On the Naval Officer's situation becoming

Surgeon
Harris.

* See these letters, printed in connection with the trial of Lieutenant Marshall and the duel between Paterson and Macarthur, ante, p. 507, 547, 614.

1802
9 Nov.
Civil ap-
pointments.

A zealous
officer.

Ensign
Barrallier.

His services
as a
surveyor.

Harris's and
Barrallier's
services.

Court-
Martial on
Harris and
Minchin.

vacant, Mr. Harris succeeded to that assessments, which has enabled me to extensive public works at no expence t an active member of the Jail and Or in every respect a valuable assistant to my absence from headquarters, where M attendance as surgeon of the Corps. The may in this settlement be more properly consists in giving masters of ships the l bonds, and enforcing the Orders relatin did, much to mine and L't-Gov'r Paters evident public benefit and conspicuous ga service, without neglecting an hour's du

Ens'n Barrallier, of the New South navigator, surveyor, and engineer, wi approbation and permission, went in t Straits, a part of which and Westerr surveyed, and brought several objects thence, which have been transmitted Royal Society. He went with Col'l explore Hunter's River, and afterwar Artillery Officer, having charge of the the military defences, batteries, and c with Col'l Paterson's previous approb made one journey into the mountains, mentioned in my general letter sent things he has collected have been sent his charts to your Lordship as well as t

I have stated the public services thes the assistance I have received from thes how sensibly I felt L't-Col'l Paterson's documents as per margin,* which I coul drawing Ens'n Barrallier and Surgeon l had so usefully performed; nor did preventing the secret representation would be made, and my future humili with every assistance that interfered wi Corps, excepting the choice of an aid-dt at headquarters, and an orderly privat named with Col'l Paterson's previous s

In consequence of L't-Col'l Paterson' Martial was ordered to be held on Sur Minchin on the charges stated in Encl decide which of the two officers had acte to the Court's meeting I received a Deputy Judge-Advocate from the office

* Enclosures Nos. 18 and 20, post.

L't-Col'l Paterson, requesting that the Court-Martial might be postponed.* This I readily complied with, but was sorry to find it unproductive of the desired end. 1802
9 Nov.

Mr. Harris being first tried, the second charge against him being withdrawn in Court by the prosecutor (Col. Paterson), no part of the remaining charge being proved, the Court having judged any defence unnecessary, and its sentence having pronounced the charge against him groundless, and unanimously and most honorably acquitted him, I approved the sentence, as Mr. Harris's integrity, honor, and propriety of conduct was too notorious to be doubted. To the minutes of that Court-Martial and my remarks thereon I have to request your Lordship's reference. Adj't Minchin was afterwards tried. As I did not feel myself justifiable, in the situation I have the honor to hold, or the knowledge I had of the events, to approve the sentence, I directed a revival of it and the proceedings, stating my reasons for it. As the Court adhered to its sentence, I am obliged to refer it and the proceedings to the Royal decision, for which purpose I have transmitted it, with my further observations thereon, to the Judge Advocate-General by the bearer of this despatch, who officiated on that occasion as Deputy Judge-Advocate. Harris exonerated.
The Court-Martial on Minchin.

Had Captain Kemp been guided by any prudent consideration (knowing how much every soldier and convict thirsted for a moment's intoxication, and the length they would go to obtain it), he certainly ought to have informed his Commanding Officer or me of the inflaming reports he so industriously circulated, instead of which he attacks my conduct in a manner concealed from me (until occasion might make a discovery useful to him) but public to everyone else, and that at the unjustifiable expense of insulting strange officers who, by their conduct and situation, had every claim to our good offices while under our protection. To those highly injured officers he was compelled to make an apology. To me, as the Gov'r, every redress was denied by the Commanding Officer, excepting his avowal that Capt'n Kemp did wrong in not reporting what he had heard to his Commanding Officer. Had he done this, perhaps I might have been informed of it; but neither was done, and, on my repeatedly stating these circumstances, I am told by the Commanding Officer that he has urged Capt'n Kemp for an answer. How far No. 22 would be satisfactory to me, but rather an additional insult, I shall make no other comment on than what is stated in letters Nos. 23, 26, and 27. Captain Kemp
and the French officers.

Respecting Mr. Harris, he has long been the object of secret Surgeon
Harris.
resentment for his assiduity in assisting me to carry the King's Instructions respecting spirituous liquors into effect. I was sorry to find Col'l Paterson, in his letter No. 20, and in the same paragraph, where he avows the impropriety of Capt'n Kemp's conduct,

* See Enclosure No. 30.

- 1802** censure Mr. Harris (the Naval Officer) dictory terms. In answer to Col'l Pa in those paragraphs, the charge on w the circumstances attending his tria without being asked for a defence, is trouble your Lordship with, to evince with candour, integrity, and strict prop the business; and should any furthe conviction that must have dwelt on Co Harris's good conduct, when he appli (joined to the inhabitants' petitions, N re-instated as a magistrate, after the cer in the above paragraph, appears the 1 the general estimation Mr. Harris was
- 9 Nov.** As those Courts-Martial were to dec
- Censured by Paterson.** Adj't. Minchin had been acting with ca as I have referred the proceedings at Court-Martial to His Majesty's decisio observation, but humbly and respectfi ship's candid perusal and consideration
- The object of the Court-Martial.** And as I am obliged, in this dist dominions, to act on my own ideas in instructions, enforcing obedience ther required of me, I am hopeful of meeti situation encourages me to solicit, for persevere in executing the duties of th to His Majesty's service and benefit to
- King stands alone.** I have forwarded to the Secretary of of the New South Wales Corps, from t 1st November, 1802. The last month Lordship's information.
- The N.S.W. Corps.** My reasons for making the necessar (now that we can issue it complete), an supported by the Crown, I have made letter attached to this.
- The ration.** Many of the Irish convicts lately arr that a settlement of Europeans exists have sent an officer to explore them, al less people of their folly, and as the (who now acts as my aid-du-camp) p eligible person to send on that servi depôts of provisions in different parts o enable him to persevere and obtain a the interior of this country.
- Irish convicts.** In my former letters I stated that ir given by the Irish convicts I had, with Paterson, formed two associations* wh
- The Loyal Associations.**

* These volunteers had head quarters, one at S

until the cause for apprehension was done away, when they were disembodied, as stated in a former letter. On the late arrival of 400 Irish convicts (mostly rebels), I conceived it advisable (in consequence of the Duke of Portland's approbation of that measure, and your Lordship's strong recommendation to the same effect), to rename the officers and to re-embodify the men for one week to deliver them their cloathing and arms, after which they will be dispersed, but ready in case of any emergency to assist the New South Wales Corps. I have the honor to enclose a return of their numbers.

1802

9 Nov.

As a great expence has attended keeping the barracks appropriated to the civil and military in repair, being neglected when uninhabited, as well as to prevent waste, I have taken it upon me to appoint Capt'n Thomas Rowley, late of the Corps, to act as Barrack Master, for which service he is remunerated from the public stores.

The barracks.

Agreeable to your Lordship's directions, on Major Johnston's arrival I communicated your letter, as well as that of Col. Brownrigg to Col. Paterson, to that officer, and released him from his arrest, agreeable to your directions, as stated in my General Orders; and as I wished to settle the difference that existed between Col. Paterson and Major Johnston, they arranged their differences in my presence, and left Government House good friends. In undertaking this office, I considered it a duty incumbent on me, altho' I have not been so fortunate as to experience that attention and support I conceive I have a right to expect from Col. Paterson in the late events that have happened here.

Major Johnston.

I have, &c.,

PHILIP GIDLEY KING.

[Enclos No. 1.]

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

Monsieur le Gouverneur,

Géographe, 4 octobre 1802.

La plainte que vous a été portée ces jours passés, et dont vous avez eu la bonté de me donner connoissance, étoit de nature à ne pas vous laisser douter que je ferois tous mes efforts pour découvrir jusqu'à quelle point elle étoit fondée, et qu'ils pouvoient être ceux des officiers qui servent dans l'expédition dont le commandement m'est confié qui avoient osé enfreindre vos ordres et les miens d'une manière si contraire aux lois d'honneur de notre marine militaire, lois qui vous sont parfaitement connues.

King's complaint to Baudin.

Les renseignements de toutes espèces que je me suis procuré m'ont convaincu qu'aucun officier français, soit à bord du Géographe, soit à bord du Naturaliste ou du Casuarina, ne s'est rendu coupable du délit dont il a été accusé; mais comme des informations qui m'étoient personnelles ne satisfaisoient l'accusateur de mes officiers, j'ai donné ordre à Messieurs St. Cric et Freycinet de se

Baudin defends his officers.

1802 rendre immédiatement chez vous, pour répondre en personne à leur conduite, ces deux officiers ayant été particulièrement désignés. Ce qu'ils ont de vous dire vous aura mis à même de juger s'ils ont mérités d'être cités en public.

Vending
rum.

Who has
calumniated
the officers?

Baudin and
his officers
compro-
mised.

Spirits
received
from the
Atlas.

The officers'
"outraged
honour."

J'espère que vous aurez la complaisance de vouloir bien me faire savoir si, véritablement, ils se sont rendus coupables de débaucherie; et s'il est prouvé qu'ils aient vendus du rum pour l'argent, j'en ferai un exemple qui apprendra au public jusqu'à quel point nous portons la délicatesse à ce sujet, mais aussi, dans le cas contraire, je réclamerai votre justice pour que celui qui les a calomniés auprès du colonel Paterson et de vous soit tenu à de réparations analogues à celles que doivent attendre les officiers français et militaires, quand après avoir exposé en public leur conduite il est démontré qu'ils ont été injustement accusés et malicieusement compromis. Toute affaire qui attaque l'honneur d'un officier est délicate. Vous savez que le soupçon, même sans fondement, est une injure qui se pardonne difficilement, et je ne vous dissimulerai pas que j'ai été obligé d'employer l'autorité pour éviter une scène dont les suites seroient infiniment désagréable, quelqu'en fussent les événements. Soit indiscretion, soit méchanceté, il n'en est pas moins vrai que tous mes officiers et moi-même nous sommes trouvés compromis dans cette affaire. J'en ai fait peu de cas pour ce qui me concerne, et vous savez que, bien loin de donner du rum à sa valeur dans le pays, je l'ai placé au prix de 10 schelin, afin que les personnes qui m'ont procuré des objets d'histoire naturelle ou des remplacements en vivres trouvassent un bénéfice qui put les engager à nous bien servir.

Je puis également vous assurer sur ma parole d'honneur qu'il n'a pas été descendu à terre une pinte des 800 gallons d'eau-de-vie que vous avez permis de prendre à bord de l'Atlas. Cette quantité est uniquement réservée pour nos consommations en mer.

Si celui ou ceux qui se sont plaints avoient réfléchi aux suites de leur démarches, je dois croire qu'ils auroient été plus circonspects dans leur conduite, comme plus réservés dans leur propos; mais puisqu'il en a été autrement, j'attends les réparations qu'on doit à l'honneur outragé, car vous ne pouvez pas douter que quelque'un de mes officiers venoit à s'écarter des égards réciproques que tous les hommes se doivent les uns aux autres, je ne les soumettais à tous ce qu'on doit attendre dans pareilles circonstances.

J'ai l'honneur d'être, etc.,

N. BAUDIN.

[Translation of Enclosure No. 1.]

COMMODORE BAUDIN TO GOVERNOR KING.

Sir,

On board Le Géographe, 4th October, 1802.

King's
complaint
to Baudin.

The complaint which has been made to you a few days ago and which you have had the kindness of communicating to me, was of such a nature as to convince me that I should not let it pass without doing all I could to find to what extent it was founded, and to ascertain who could be those of the

officers serving in the expedition, the commanding of which is entrusted to me, who had dared to disobey your orders and mine in a manner so contrary to the laws of honour of our Navy—laws with which you are fully acquainted.

1802

9 Nov.

The information I have collected from all sides has convinced me that no French officers, either on *Le Géographe*, *Le Naturaliste*, or *Le Casuarina*, are guilty of the offence they have been charged with committing; but as that information is only personal to me, and did not satisfy the accuser of my officers, I have ordered Messrs. Saint Crig and Freycinet to go at once and see you to answer personally for their conduct. As these two officers had been particularly pointed out, what they have to say will enable you to see whether they have merited being thus called before the tribunal of public opinion.

Baudin
defends his
officers.

I hope you will let me know really whether they have been guilty of disobedience, and whether it is proved that they have sold rum for money, and I shall make such an example that the public will learn how scrupulous we are on such a matter; but, also, should it prove to be otherwise, I should claim from your sense of justice, that he who has calumniated them to Colonel Paterson and yourself, should be compelled to make such reparation as those French officers expect when, after having made their conduct public, it is demonstrated that they were unjustly accused and maliciously compromised. Every matter which attacks the honour of an officer is a very delicate one. You well know, also, that suspicion, even if unfounded, is an insult not easily forgiven; and I shall not conceal from you the fact that I have been compelled to make use of all my authority to avoid a scene, the consequences of which would be infinitely disagreeable, whatever the result of it might be. It is none the less true that, be it out of thoughtlessness or of wickedness, all my officers and myself are compromised in this affair. As far as I am concerned, I do not take much notice of it, as you know that, far from giving the rum for its own value in the country, I have quoted it at 10s., so that those who have procured me specimens of natural history and provisions should get a profit which would induce them to serve us well.

Vending
rum.

Who has
calumniated
the officers?

I can also give you my word of honour that not one pint of the 800 gallons of brandy that you allowed me to take from the *Atlas* has been landed, the whole of that quantity being kept for consumption when at sea.

Spirits
received
from the
Atlas.

If he or they who have complained had given a thought to the consequences of their action, I have reason to believe that they would have been more circumspect in their conduct and more discreet in their conversation; but as it has been otherwise, I am awaiting for the reparation which is due to outraged honour, for you cannot doubt that, were my officers to ignore the reciprocal regards which men owe to one another, I would compel them to submit to them.

The officers'
"outraged
honour."

I am, &c.,

N. BAUDIN.

[Enclosure No. 2.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 4th October, 1802.

1. I enclose for your inspection and consideration a translation of a letter from Monsieur Baudin, Commander-in-Chief of the ships belonging to the French Republic, now lying this port.

Commodore
Baudin.

2. Before I make any observation on that letter, it is necessary I should inform you that on Thursday last, in consequence of a message I received from Monsieur Baudin, by his captain, respecting a supposed irregularity in the Naval Officer's department with respect to himself, which on explanation proved to be an error in his clerk in carrying a message he was not authorized to do,

- 1802
9 Nov.
The French officers.
Alleged irregularities.
- on this occasion the Naval Officer informed me that he had heard so much lately about the French officers and spirituous liquors, which my conduct as well as his own was concerned, that he found it necessary to inform me that the officers of the New South Wales Corps made many reflections on the Commodore and the French officers being allowed to purchase spirits from the *Atlas*, while they could not be allowed any from that ship; that Adjutant Minchin had informed him publicly that Col. Paterson had made observations on L't St. Crig, of the *Naturaliste*, paying for spirits at 25s. per gallon; that Capt'n Kemp had informed some of the officers of the Corps, and had sent for a man named Chapman to confirm it in their presence, and on the parade that he had to Capt'n Kemp that he (Chapman) had bought eight bottles of spirits from the first lieutenant of the *Geographe*, for which he had paid him in money at 5s. per bottle.
- King and the French officers.
3. On receiving this information, which I could not but consider as an attack on my conduct in allowing the French officers the privilege and denying it to the officers under my immediate command, and giving me reason to suppose that the French Commodore had broken the word of honor he gave me before any intercourse took place with his ships, that nothing with respect to spirits should happen that could in any way deviate from the allowed rule and customs observed by the officers belonging to the colony.
- Commodore Baudin.
- Lieutenant St. Crig.
4. Impressed with these ideas, I sent for the Commodore and expostulated with him upon the impropriety of his officers' conduct and his deceiving me, if privy to any such transaction. To the latter charge he assured me of his total ignorance, and that he would send the officers complained of to me. Soon after L't St. Crig came, when I sent for the Adjutant and Naval Officer. He positively denied, on his word of honor as an officer, ever having paid spirits away at that rate, being never possessed of any but his daily ration, which he did not drink, but exchanged it for vegetables, eggs, and such other things as he wanted.† Adjutant Minchin said that the Naval Officer must have misunderstood him respecting Colonel Paterson's having given the information respecting Mr. St. Crig, but that he said it was some time ago talked of in the Colonel's viranda among some officers of the Corps in the presence of Colonel Paterson; he also said that a man (who had been a convict) named Chapman informed Capt'n Kemp that he had purchased spirits for 5s. per bottle from a French officer, describing the first lieutenant of the *Geographe*, which Chapman afterwards confirmed on the parade, on being called up and questioned by Capt'n Kemp before him (Adjutant Minchin) and several other officers of the Corps. On hearing this L't St. Crig requested
- The officers of the Corps.

* Marginal note by Governor King.—“Has been a convict and a bad character.”

† Marginal note by Governor King.—“About the time the permit was granted (17th Aug¹) to the Commodore for 800 gallons of spirits from the *Atlas*.”

that Chapman might be sent for, who, on the question being put to him, whether he had purchased any spirits from the lieut. of the *Geographe*, said not from him, but that he had from another officer, describing First Lieutenant Freycinet, of the *Naturaliste*, who now commands the *Cassuarina*. I requested the Commodore to send for this officer who came the following day, and in the presence of the Adjutant, Naval Officer, Judge-Advocate, and Chapman, he heard the latter's assertion which he denied on his honor as an officer, and stated, "that when the *Naturaliste* arrived here Chapman went on board to offer his services to supply the *etat* major (lieutenant mess) with vegetables, and every other article they wanted during their stay; that they offered him their daily ration of spirits at the same rate it was allowed the officers on shore to exchange for articles for their domestic use, i.e., 20s. per gallon; that he supplied them for some time, and about five weeks ago, Chapman having conducted himself improperly, they declined having anything further to do with him, and the person who conducts the affairs of the mess (who is not an officer) was directed to settle with Chapman, when it appeared that he had drawn two gallons of spirits more than he had furnished articles for, which he required Chapman to settle, and that he (Lieut. Freycinet) has since been informed that 20s. per gallon was paid for that deficit." This being interpreted to Chapman, he asked L't Freycinet if he had not taken him to his cabin, and offered him eight bottles of spirits at 5s. per bottle, which he (Chapman) declared he could not do, as he would not be able to get his price for it on shore. To this the officer gave his word of honor, and everything that was dear to him as an officer, that no transaction of the kind alluded to had ever taken place. Chapman then asked whether he did not purchase such a quantity from his (L't Freycinet's) domestic? He said no, not from his domestic, but that he knew a domestic belonging to an under officer had sold him some.* Lieut. Freycinet was asked by the Judge-Advocate to declare on his word of honor as an officer whether he either directly or indirectly received any payment for it. He declared that he never did, and should consider himself unworthy to hold the commission he does if he ever did any thing of the kind. Chapman persisted that what he had advanced was truth. He was asked to produce any proof of what he had advanced respecting those officers. Said no other person was privy to it. He then produced a written note from Mr. Colas, a surgeon's mate of the *Naturaliste* to Mr. La Tour, his messmate, to require from Chapman 20s., for which he said he received a gallon of spirits. Mr. Colas being sent for, in the presence of the above officers, says that he gave Chapman a four-pound note to pay for some articles he had furnished to the mess he belonged to, and that there was a deficiency of 20s. which Chapman could not pay, and as he (Colas) was going to Hawkesbury the next morning, he gave Chapman

1802

9 Nov.

Alleged
trafficking
in spirits.

Lieutenant
Freycinet.

His account
of the
transaction.

The
informers
account.

The officer's
denial.

Other
officers
implicated.

Surgeon
Colas's
account.

* Marginal note by Governor King.—"For which he was punished."

- 1802
9 Nov. a written note to give his messmate the ballance, but declares he never sold any spirits to Chapman, or any other person, and defies him to prove it. Such, sir, is the result of an examination that has cost me much time, when it ought to have been otherways employed. It now remains for me to state my opinion on these subjects, which I have already done to the French Commodore. Respecting L't St. Crig, you best know how far such an observation came from you. The high character he has borne among the officers of this colony warrants my firm belief of his assertions that he is totally innocent of what may or what may not have been said against him.
- Lieutenant Freycinet.
Credibility of evidence. 5. Lieut. Freycinet has always been noticed as an amiable officer and gentleman by those I have ever conversed with respecting him. His clear and unequivocal account of the transaction has been such that I place the fullest confidence in its veracity, and his being innocent of the foul and unsupported charge brought against him by a miscreant whose villainy was roused and put in action by being disgraced, and no longer employed, for his malpractices in the bargain he had made. And, as a last resource, he accuses a person who is not an officer of a similar transaction; to support it he brings a bill drawn for 20s. May not every officer and man in this colony be made the victim of such infamous accusations if such a character could bring creditable proof to support his assertions? Still this inventive genius is not at a loss for resources. He then complained of what he had said to Capt'n Kemp being in an unguarded moment, when Capt. Kemp had two servants in his store-room, listening to what he (Chapman) said. Here I dismissed the parties, and directed the Adjutant to inform you of Chapman's last assertion respecting Capt'n Kemp, and that I requested you would take the proper steps.
- Minchin and Harris. 6. The preceding part of this letter being read before the Judge-Advocate, Adjutant Minchin, and the Naval Officer* (who were present at these examinations, and gave the information that produced them, and acknowledged to be true), will be the most eligible persons to clear up any doubt that may arise of their validity.
- Captain Kemp. 7. What Capt'n Kemp's motives were (as far as concerns the French officers) for questioning Chapman in his house, and afterwards calling him on the parade and questioning him before the adjutant and other officers of the Corps, I shall make no other comment on than that it most certainly has occasioned the present misunderstanding between the Commodore and the French officers, with myself, and every other military officer in the garrison, a misunderstanding which can only tend to do away the sense they may entertain of the attentions they have hitherto acknowledged, cause an opinion but little honorable to the character of British officers, and ultimately become the subject of representation between His Majesty and the French Republic, a circumstance
- Inhospitable treatment of strangers.

* Surgeon Harris.

that cannot be pleasing to any. It is to obviate, if possible, these mischiefs that I transmit you the enclosed, no ways doubting but you will cause that justice to be done which the laws of honor and hospitality, due to officers belonging to ships putting in here in a state of distress, demands.

1802

9 Nov.

8. Having thus far discharged my duty in what regards the honor of our country (an honor equally committed to the charge of every officer holding his Sovereign's commission as to mine), I shall proceed to remark on such subjects in these proceedings as immediately concern my conduct as His Majesty's Governor of this territory; and had not the information been given by the Naval Officer as stated in the first part of this letter, my conduct and that officer's would most probably have become the open subject of animadversion, when the power of clearing it up rested with neither of us—I mean until after the French ships' departure—as no officer or other person were disposed to give me this information, and was it not for the explanation required by me of the Naval Officer respecting the irregularity complained of by the French Commodore, I make no doubt but I should have remained ignorant of it until some circumstance had brought it to light, or rather obscurity, after the French ships' departure. If you was present at any time when the hardships of the officers of the Corps said they laboured under (according to their public assertions, in your varanda and in your presence, as Adjutant Minchin says) in being prevented from having any spirits from the Atlas, while the French officers were allowed to have 800 gallons to bring on shore to sell, ought I not to have been informed of it by some officer? And whether it was before or after these reflections were used I cannot say; but as you had my unsealed answer to the master of the Atlas from Hawkesbury, where I then was, stating my reasons why I refused him permission to land his spirits, possessed as you were of that official information, and the natural idea you must have had of the disapprobation with which the impropriety of my conduct would have been viewed by Government, whose instructions I have to render every assistance to the French ships, and every thinking man in the world, had I prohibited the French Commander from purchasing 800 gallons of those spirits to enable him to prosecute his voyage. Had all this occurred, if you heard those reflections used, you surely would have silenced those public remarks injurious to my honor as Governor of this territory, which, it appears, was not done, or that Captain Kemp has very improperly conducted himself.

The honor of
our country.Surgeon
Harris.Complaint
of the
officers.Paterson's
silence.

9. Waiting your answer on those points, and the measures you may judge it necessary to pursue for affording that justice which Monsieur Baudin claims.

I have, &c.,

PHILIP GIDLEY KING.

1802

[Enclosure No. 3.]

9 Nov.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 5th October, 1802.

A meeting of
officers.

1. I had the honor to receive your letter of yesterday, and have ordered a meeting of the officers of the Corps to enquire how far Capt'n Kemp was justified in using the expressions alluded to in that letter. As soon as their opinions are given, I shall report them to your Excellency.

Paterson and
the French
officers.

2. What respects myself of having made use of Lt. St. Crig's name, I believe I have explained to that gentleman's satisfaction; but, to prevent any misconstruction being put upon that explanation, I intend addressing the Commodore on the subject, and also to convince that I have not been wanting in attention to him or his officers, or ever deviated from the situation I have the honor to be placed in; and I hope I shall be fortunate enough to assure your Excellency that the conversation which passed in my varanda was not of that nature to be noticed by me.

3. That I may be enabled to satisfy your Excellency of the zeal I have had to support you in the government (after the court of enquiry has taken place), may I request you will order a meeting of the civil and military officers in the colony, for the purpose of my asking them that question.

I have, &c.,

W. PATERSON.

[Enclosure No. 4.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 5th October, 1802.

King's
reply.

I have received yours of this date in answer to mine of the 4th instant, to which I shall reply when I am possessed of the result of the measures you have judged it necessary to adopt.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 5.]

W. N. CHAPMAN TO ADJUTANT MINCHIN.

Government House, 5th October, 1802.

Officers'
hardships.

THE Governor requests Adjutant Minchin will do him the favor to acquaint him of the time (as near as he can recollect) when the conversations took place in the Colonel's varanda on the hardships the officers of the colony laboured under, and also the day on which Chapman was called on the parade by Captain Kemp, and questioned before yourself and several other officers respecting his purchasing spirits for money from the French officers.

W. N. CHAPMAN.

[Enclosure No. 6.]

1802

ADJUTANT MINCHIN TO GOVERNOR KING.

9 Nov.

Sir, Sydney Barracks, 5th October, 1802.

I have just received your Excellency's note, desiring me to acquaint you of the time (as near as I can recollect) of the conversations which took place respecting the hardships the officers of the colony laboured under, which happened (to the best of my knowledge) about the time your Excellency granted a permit for the Commodore to have spirits from the Atlas, and I think the questions put by Capt'n Kemp to William Chapman were about the same date.

Complaints
of officers.

I am, &c.,

W. MINCHIN,
Adj't, N. S'h W. Corps.

[Enclosure No. 7.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir, Sydney, 6th October, 1802.

I have the honor to enclose you the opinions of the officers,* who I assembled this morning for the purpose of investigating into Captain Kemp's conduct, respecting the expression he made use of, as stated in your Excellency's letter of the 4th inst., to me, and hoped the enclosed apology,† addressed to Commodore Baudin, will be satisfactory to him as well as the French officers; and that the accompanying declarations of the officers assembled will exculpate me in not having reported to you a private conversation which I could not conceive to be a complaint, or in any degree injurious to your Excellency's character as Governor of this territory.

Meeting of
military
officers.A private
conversa-
tion.

I have, &c.,

W. PATERSON.

[Enclosure No. 8.]

CAPTAIN KEMP TO COMMODORE BAUDIN.

Sir, Sydney, 6th October, 1802.

As the conversation relating to the officers of the French ships which you have the honor to command, respecting their selling spirits was mentioned by me as a general conversation, I therefore could have no intention of bringing a charge against either of them, and I beg leave to assure you I did not first mention it to the Governor, nor have I only related but what has been asserted by Chapman.

Kemp's
apology

I beg you, sir, and the French officers under your command, will be fully assured how much I am concerned that any occurrence brought forward by me should be considered as done with a view of injuring their honor, as it is so totally different from my wishes and so unconnected with my ideas of them, which I trust my

to the
French
officers.

* See the Enclosure No. 9.

† See the next paper, Enclosure No. 8.

1802
9 Nov. attentions to several of them has fully proved. I am further requested by my brother officers to say that the officers on board the French ships will be considered by them in the same estimation as they were on their arrival in the colony.

I am, &c.,

ANTHONY FENN KEMP,
Capt'n of the N. S. Wales Corps.

Endorsement by Governor King.—I conceive the within apology to be highly honorable to the officers of the New South Wales Corps in requiring its being made, and that it appears a sufficient apology to those officers who have conceived themselves injured, as represented by the French Commadore's letter to me of the 4th instant.

P. G. KING.

[Enclosure No. 9.]

OFFICERS TO GOVERNOR KING.

The alleged complaint of the officers.

In answer to the following extract from a letter sent by Governor King to Lieut.-Col. Paterson, the undersigned officers totally deny making any such complaint* in his presence :—

"If you were present at any time when the hardships the officers of the Corps said they laboured under, according to their public assertions in your verander and in your presence, in being prevented from having any spirits from the Atlas, while the French officers were allowed to have 800 gallons to bring on shore to sell."†

RALPH WILSON, Captain.

NICH'S BAYLEY, Ensign.

ANTHONY FENN KEMP, Capt.

WM. MINCHIN, Ens. and Adj't.

JOHN PIPER, Capt.

F. BARRALLIER, Ens.

THOS. DAVIES, Lieut.

J. HARRIS, Surg'n N.S.W.C.

THOS. HOBBY, L't.

WM. COX, Paymaster.

WM. MOORE, L't.

THOS. LAYCOCK, Q'rm'r.

[Enclosure No. 10.]

ADJUTANT MINCHIN'S DECLARATION.

Sydney, 6th October, 1802.

Minchin's account of the transaction.

I DECLARE on my word of honor that I do not recollect ever hearing any officer complain to Colonel Paterson of their labouring under any hardships from not being allowed to have spirits from the Atlas, nor did I assert anything of that kind to Governor King, but that I told the Governor of having heard of Mr. St. Cric's paying away spirits at twenty-five shillings per gallon, in a general conversation in the Colonel's verander, where he was, I will admit, but nothing more.‡

I have, &c.,

W. MINCHIN,
Adj't, N.S.W.C.

* Note by Governor King.—"Vide my letter of the 4th, No. 2. No such word appears; proved by my letter No. 14."

† Note by Governor King.—"For what but an improper purpose could the omission (as Adj't Minchin says) be made? See letter No. 2, par. 8."

‡ Note by Governor King.—"Is not this a pointed contradiction of what he asserts in his letter No. 6, and his avowal of the truth of my letter No. 2, as far as para. 6, and that also?"

[Enclosure No. 11.]

1802

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

9 Nov.

Sir,

Sydney, 6th October, 1802.

I have received your letter of this date and its enclosures.* Adjutant Minchin will no doubt be able to account for the different tenor of the paper enclosed with yours to his declaration of yesterday, a copy of which I enclose.† When I receive an explanation on that head, I shall proceed to answer yours.

* King refers to Minchin's declaration.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 12.]

ADJUTANT MINCHIN TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 6th October, 1802.

On perusing Governor King's letter to you of this day's date respecting me, I find that His Excellency wishes me to account for the different tenor of my letter to him of yesterday, and my declaration to you of this day, and on that head I can only observe that mine of yesterday‡ to Governor King was in answer to a note I received from His Excellency,§ a copy of which I have the honor of enclosing, in which you will see that the Governor desires me to acquaint him with the time, as near as I can recollect, when the conversation took place in the Colonel's verander, on the hardships that the officers of the colony laboured under.|| As I was unacquainted with that conversation having taken place in your verander, you will observe, in my answer to the Governor, that I only mention at what time such conversation took place, but do not particularise where; and when I answered Governor King's note yesterday, I had not the smallest doubt but that His Excellency would have taken it as I really meant,¶ which was that I had heard such conversations, that they were publick, but at what particular place I could not possibly inform him.

Minchin's explanation.

No personal knowledge.

I trust, sir, this explanation will prove to the Governor, and to you, that I have not in my letter to His Excellency yesterday, or in my declaration to you to-day, either deviated from the truth or contradicted myself.

I have, &c.,

W. MINCHIN,

Ens'n and Adj't, N.S.W. Corps.

* The Enclosures were the two papers numbered 8 and 9, ante, pp. 983 and 984.

† See Enclosure No. 6. ‡ Enclosure No. 6. § Enclosure No. 5.

|| Note by Governor King.—“Has he not said in the first four lines of this page, in his declarations on honor, that the conversation did take place, &c.?”

¶ Note by Governor King.—“Does he not say in his declaration, as above, that it was in the Colonel's veranda and in his (the Colonel's) presence?”

1802

[Enclosure No. 13.]

9 Nov.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 6th October, 1802.

Comparing
copies of
King's letter.

To elucidate truth, I have to request you will compare with my Secretary the rough draft of my letter to you of the 4th inst. with the original in your possession, and that you will allow the Naval Officer and Judge-Advocate to be present ; and if the copy and original are the same, and satisfactory to them, you will, as a magistrate of this colony, have the goodness to take their depositions in proof of the tenor of the second, third, and fourth paragraphs of the above letter.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 14.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 7th October, 1802.

Kemp's
apology.

1. I received yours of yesterday and the day before in answer to mine of the 4th inst., with their enclosures.

2. Captain Kemp's apology to the French officers appears to me as just as it was necessary. I have forwarded it to the Commodore with the enclosed letter.

His previous
silence.

3. Had Capt'n Kemp done his duty as an officer he would have instantly informed me of Chapman's assertions in his house. I should have been much obliged to him and would have made an instant enquiry why the King's Instructions and my General Orders were treated with contempt by strangers in violation of their Commander's word of honor. Instead of Capt'n Kemp taking that proper step, he questions Chapman again publicly on the parade so long ago as about the 17th last August (for so Adjutant Minchin says to me in his letter of the 5th instant, a copy of which you have), including a period of six weeks. What motives Captain Kemp had for this conduct I will not prejudge; but I cannot forget that on Monday, the 13th Sept'r last, Captain Kemp, in the presence of the Naval Officer, applied to me for some of the Atlas's spirits, and that I told him if any were landed he should have an equal proportion with myself and the youngest ensign in the Corps. Here was surely a time for Capt'n Kemp's giving me the information of Chapman's assertion, which, as Adjutant Minchin says, was about a month before. No, such information I never got 'till by the accident stated in my letter of the 4th, and remarks thereon.

He applies
for spirits
from the
Atlas.Impropriety
of his
conduct.

4. I trust, sir, you will discover the impropriety of that officer's conduct in not informing me the instant he heard it asserted that the French officers were selling spirits for money, knowing it to be a disobedience of my General Orders, consequent on the Royal Instructions.

5. As to the explanation you have made to the French Commo- 1802
dore respecting Lt. St. Crig being ignorant of it, I can make no 9 Nov.
observations thereon, nor can I doubt but you have investigated Paterson
the truth, and that a proper censure has fallen on those who have and Lieut.
denied what they once asserted, which must be the case either St. Crig.
with the Naval Officer or Adjutant.

6. For what purpose the word "complaint" is conceived and Construc-
used in the officers and Adjutant Minchin's declaration trans- tion of
mitted by you, I cannot tell; no part whatever of my letter King's
warrants it. Had open "complaint" been made, I most certainly letter.
should have heard of it, conceived myself obliged, and would have
instantly explained or redressed it; but it has been conversations
and assertions in public places that I notice, such as are stated in
my letter to you of the 4th instant.

7. I cannot conceive any conversation before you, as Lieutenant- Private
Governor, in your viranda,* and in the hearing of a centinel, who conversa-
might put and convey what construction he pleased on it to the tion.
barracks, to be private, when it related to the objects stated in
the Naval Officers and Adjutants information to me on the 3rd
instant, confirmed by both to be true when my letter to you of
the 4th instant was read to them in the presence of the Judge-
Advocate and my Secretary; again confirmed by his answer to my
Secretary's letter to him of the 5th, copies of which you have.
With these proofs (which I must further elucidate) either the A discre-
Naval Officer or Adjutant has not been acting with candour, and it pancy.
rests with you to which of the two you ought to give the greatest
credit.

8. It might be wished that a full transcript had been made, in
your officers opinion, who you convened yesterday, when they
quoted the paragraph of my letter, in which they left out the
parenthesis "as Adjutant Minchin says"; and that he did say so I Adjutant
will faithfully adduce and transcribe the following proofs:— Minchin's
statement.

1. The whole of my letter to you of the 4th instant, which
you consequently have.
2. The depositions of the Naval Officers, Judge-Advocate, and
my Secretary.
3. My Secretary's letter to Adjutant Minchin, of the 5th,
and his answer to me.
4. His written declaration on his honor before the officers,
which of course you are possessed of.

9. Examine these documents, sir, I beseech you, of yourself and King desires
for yourself. Does not the last contradict the incontrovertible an explana-
evidence of the other six documents? Where am I to look for tion.
truth? I desired an explanation of the contradiction in his letter

* *Marginal note by Governor King.*—"Experience shows that soldiers and sailors have taken advantage of less cause to be troublesome, exclusive of what might be expected from the other inhabitants of this colony."

1802

9 Nov.

Minchin's
inconsistent
statements.

to me of the 5th, and his declaration of the 6th instant. He says in that attempt "that he only mentioned at what time such conversations took place, but did not particularize where." Here, sir, he is wrong; for does he not say in his declaration that he does not recollect ever hearing any officer complain (instead of assert) to Col. Paterson of their labouring, &c. Where does he find that in any part of my letter? But you may discover that he avows in his letter of the 5th to me, that he quotes the time those conversations took place respecting the hardships, &c. You will also discover what he says in the latter part of his declaration which may or may not (as he chooses to interpret it), constitute the conversation he alludes to in his letter to me of the 5th, for it only relates to two subjects—that, and Captain Kemp's questions to Chapman.

10. Now, sir, I request you to cast your eye on my Secretary's letter to him of the 5th.* Is not the positive word "varanda" used? Why, then, did he not at that time, and in his answer, deny either the place or the subject of conversation? But acknowledging the latter to the full extent of the question, and passing the other over in silence, does not refute it. It carries too great a conviction with it.

Necessity for
an inquiry.

11. With these documents it rests with you to take a proper notice of him who has deceived you, or me, as the veracity of the information I proceeded on, to render justice to the French officers, and to set my conduct in what regards the Atlas's spirits in a true light, must rest with the Naval Officer, who is surgeon of the Corps you command, and the Adjutant, in doing which you will render me and yourself justice.

The importation
of spirits.

12. I have now only to observe that in the measures I have pursued respecting the Atlas's, as well as all other spirits brought to the colony, I have faithfully and honorably discharged the obedience I owe my Sovereign's Instructions, without neglecting the unasked and impartial convenience of every description of people under my command. How far that has been most impartially considered by me, with respect to the officers of the colony, will appear from the Naval Officer's report, which I have directed him to prepare and deliver to you.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 15.]

GOVERNOR KING TO COMMODORE BAUDIN.

Sir,

7th October, 1802.

The French
officers.

In answer to yours of the 4th, I beg to express the concern I feel that any circumstance should happen for a moment to suspend the good intelligence that has existed between yourself, the officers under your command, and every officer of this garrison.

* Enclosure No. 5, ante, p. 982.

I have the honor to inform you that, after a mature investigation, it appears that as far back as about the time I gave you the permit to furnish the *Geographe* with 800 gallons of spirits, Captain Kemp, of the New South Wales Corps, was told by Chapman, in his house, that the French officers were in the habit of selling spirits on shore for money, and that he questioned the said Chapman afterwards, on the public parade, before Adjutant Minchin and other officers of the Corps, whether he had not told him so.

1802

9 Nov.

Alleged to have trafficked in spirits.

Had this circumstance ever been communicated to me before the 2nd inst., when I sent for and taxed you with a breach of your word of honor, I should certainly have informed you of it the instant I heard it; but my ignorance thereof was as great as that of you or your officers, till your message respecting the Naval Officer brought it to light.

King in the dark.

You will observe that I lost no time in profiting by your condescension in submitting your officers to an examination before a foreign authority. The result has been highly honorable to them, which I have the honor to enclose for your information and, if you judge necessary, for their satisfaction.*

Examination of French officers.

Col. Paterson having judged necessary to convene a meeting of the officers under his command to decide on Captain Kemp's conduct, I have the honor to enclose Captain Kemp's letter of apology and my remarks thereon, which I submit to you and your officers.

Kemp apologises.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 16.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 8th October, 1802.

1. I had yesterday the honor to receive your letter with the enclosures, and have studiously perused the contents and compared the documents you allude to.

2. What respects Captain Kemp, Mr. Harris, and Adjutant Minchin I have communicated to them this morning. As your Excellency very justly observes, altho' Mr. Harris and Adjutant Minchin were unanimous in your presence, they most certainly have been very contradictory since, and as Mr. Harris publicly said that Adjutant Minchin's declaration to me (a copy of which your Excellency has) was correct, I could not suppose it was otherwise, and I have no other means of proving whether both of these officers have acted like gentlemen in this instance but that of bringing them to trial by a General Court-Martial. If your Excellency is pleased to order it I shall do myself the honor of furnishing you with the charges I have to bring against them; but, whatever may be the result, I hope you will not afterwards deny me what I requested in my letter, dated the 5th inst., viz.,

King's references to Kemp, Harris, and Minchin.

Paterson proposes to call a Court-Martial.

* This enclosure is not available.

1802

9 Nov.

Paterson
explains his
silence,

a meeting of the officers, civil and military testimony how far I have acted wrong. Excellency a circumstance which could character as Governor of this territory discipline the regiment is in which I have allowing the centinel to have heard the passed in my varanda, it could not have to apprehend any danger from its being otherwise I most assuredly should have at the moment, and reported it to your

and refers to
his past
services.

3. I have nothing further to observe been fortunate enough to satisfy your than this: that I have had the honor of mission unsullied for these twenty-three the most honorable and confidential service. I have also had the honor of situation your Excellency holds, and of faction to the colony, and had the approval of Ministers. And it is also pleasing at possession of testimonials of my good character. I have had the honor to be placed in, and by your Excellency of withholding and had the honor to serve under, where I have been the tale-bearer of conversation mischief, which can be done with no other than themselves and to give trouble to others has been completely effected.

Paterson
and King.

4. I hope your Excellency will do me the honor not been wanting in giving you every assistance from Majesty's Government, in doing which I have received from Commander-in-Chief.† This, sir, I have more than to give you every assistance that

[Enclosure No. 1]

GOVERNOR KING TO LIEUTENANT

Sir, Sy

No explanation
of
Kemp's
conduct.

1. Yours of this date is now before me. I observe that I do not notice therein any objection to my representation of Capt. Kemp's conduct to inform me whether you conceive he

* *Marginal note by Governor King.*—"A week after their ration because it was necessary to issue the wheat their conduct was so mutinous that the ringleader was Court-Martial."

† *Marginal note by Governor King.*—"Why was no objection received?"

communicating to me the assertions made use of by Chapman in his house, as stated in my letter of yesterday. If he is wrong, I certainly ought to have expected the most ample apology before now. At any event I look up to you on that behalf.

1802

9 Nov.

2. The necessary measures respecting a General Court-Martial will be taken when I am favored with the charges you mean to bring against Adjutant Minchin and Mr. Harris.

Court-Martial on Minchin and Harris.

3. Having stated so much in my letter of the 4th, and my letter of yesterday, respecting the necessity of my being informed of every subject that could give a shadow of cause for discontent, it is unnecessary for me to make any further comment on that business than to refer it [to] that authority which will judge impartially of both our conducts. Having been unfortunate enough to be present at several mutinies of serious import, where the leading causes, by being neglected in their rise, produced consequences that all concerned in them saw with regret how easily they might have been stopped had the primary cause been remedied in time.

Causes of mutinies.

4. I do not suspect you, sir, or any man! If I have reason to remark on any person's conduct under my command in what relates to His Majesty's service and the welfare and tranquillity of this colony, I always have and will do it in an honourable and open manner.

King and Paterson.

5. Would you have had me pass over unnoticed the open and honourable information I received from the Naval Officer on a point that, if neglected, constituted a neglect of duty on my part? Was I to tell the French Commodore that I would not attend to his claims for justice on behalf of his officers, who were determined to call Captain Kemp to a private account had not the Commodore prevented it? Had I, sir, neglected all this I should most justly have merited those representations which experience tells me would no doubt have been made.

Kemp and the French officers.

6. How far any instructions you may have received from His Royal Highness the Commander-in-Chief can in any ways be a hinderance to your supporting His Majesty's Government and rendering me assistance, I am as yet to learn; but that I may not put any improper constructions thereon, I must request the favour of being informed what those instructions are; and in the meantime, to evince the high respect and veneration I have for anything that can be construed into a wish of His Royal Highness the Commander-in-Chief, I do, sir, as His Majesty's Captain-General and Commander-in-Chief of this colony, require your instant compliance and enforcement of every Order and instruction you may be possessed of from His Royal Highness, which I am well convinced will not militate against His Majesty's Government, or your inclination to support me in the due administration of the important trust delegated to me.

Paterson's instructions from the Commander-in-Chief.

I have, &c., PHILIP GIDLEY KING.

1802

[Enclosure No. 18.]

9 Nov.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 8th October, 1802.

Officers not
to perform
other than
military
duties.

1. I have this moment the honour of your Excellency's letter of this date, and transmit you the following paragraph of His Royal Highness the Commander-in-Chief's instructions to me, dated 4th of August, 1801, respecting the officers under my command, viz: "Not being permitted on any account whatever to engage into the cultivation of farms, or in any occupation that are to detach them from their military duty."*

Paterson's
explanation.

2. What I meant being contrary to my instructions, as stated in the above paragraph, has been for the welfare of the colony and not to frustrate your Excellency's wishes.

Harris and
Barrallier.

3. In the latter I mean Mr. Harris and Ensign Barrallier, as they have both been frequently detached from their military duties, which I admitted of purposely for the good of His Majesty's service as well as an accommodation to your Excellency.

Officers as
farmers.

4. What respects officers being engaged in the cultivation of farms, when I received these Instructions† I ordered that as soon as the present crop was off the ground they must desist from the cultivation of farms in future, as stated in my regimental orderly book, dated the 10th July last.

Harris and
Minchin.

5. The charges against Mr. Harris and Adjutant Minchin I shall do myself the honour of transmitting to your Excellency tomorrow.

I have, &c.,

W. PATERSON.

[Enclosure No. 19.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 8th October, 1802.

Paterson's
instructions.

I had the honor to receive yours in reply to mine of this day, enclosing His Royal Highness the Commander-in-Chief's instructions to you; and as you construe those instructions as having a retrospect to Ensign Barrallier and Surgeon Harris, I have to request that you will instantly order the former gentleman to his duty, and that you will consider how far Surgeon Harris's doing the duty of Naval Officer interferes with his military duty. Your answer on the latter point will be necessary as soon as possible, to enable me to shew with what prompt attention I honor His Royal Highness's commands, altho' your inference of Ensign Barrallier supercedes the Royal instructions communicated by His Majesty's Principal Secretary of State for the Home Department.

Extra duties
of Harris
and
Barrallier.

* Marginal note by Governor King.—"It appears Colonel Paterson received these Orders 10th July last, a period of three months, and this is the first time he made the objection or hinted that the duties performed by those officers militated against that instruction."

† Marginal note by Governor King.—"Was not that a proper time for any suggestions being made respecting those officers?"

I beg to assure you, sir, I have no accommodation unconnected with the interest of His Majesty's service in the zealous and highly useful duties the above two officers have hitherto so honorably performed with your entire approbation. 1803
9 Nov.

I have received no elucidation yet respecting Captain Kemp.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 20.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

Sir,

Sydney, 9th October, 1802.

1. I had the honor to receive your Excellency's letter of last night, wherein you request me to order Ensign Barrallier to do his duty in the regiment, and to know how far the Naval Officer and magistrate interferes with Surgeon Harris's military duties. When I mentioned those two officers I did not mean to deprive the public of their services; but from the unfortunate misunderstanding that at present exists between your Excellency and me, I must beg that you will take the responsibility of their holding any other occupations than their military duties upon yourself.* Barrallier
and Harris.

Civil duties
performed
by them.

2. I must now come to a point, and to explain to your Excellency why the present misunderstanding exists. It takes its rise from Captain Kemp, and is reported to your Excellency by Mr. Harris, with blame attached to me, which has occasioned the reflections and unpleasant constructions upon my conduct, and consequently wounded that good understanding between us which once existed. The origin of
the dispute.

3. Captain Kemp did wrong in not reporting to his Commanding Officer what he had heard officially from Chapman,† which, I am confident, would have been settled by the officers of the regiment in an honourable manner, without the risque of its being made a private business, and would not have occasioned any explanation between yourself and Commodore Baudin. Mr. Harris's conduct is, in my mind, much worse than the former gentleman's. He gets Captain Kemp's assertions, as also another information, wherein his Commanding Officer is concerned, and carries the whole to your Excellency, and you give him the credit of having acted open‡ and honorably to you, altho' you allow but for your having had occasion to blame him in another instance, no such information would have been given. But place yourself, sir, in my situation as his Commanding Officer. He is going with information,§ "that the officers of the New South Wales Corps had made many Kemp in the
wrong.

Paterson
blames
Harris.

* Marginal note by Governor King.—"How could I agree to this, and subject myself to future humiliations?"

† Marginal note by Governor King.—"Which he publicly and most industriously circulated (see letter No. 2, Captain Kemp's apology, No. 8, and French officer's reply, No. 24)."

‡ Marginal note by Governor King.—"Certainly, and in the just discharge of his duty as Naval Officer."

§ Marginal note by Governor King.—"As Naval Officer, which appears on his Court-Martial."

1802

9 Nov.

Harris
charged
with
disrespectful
conduct.

The
discipline of
the Army.

Charges
against
Harris and
Minchin.

Paterson
will support
King.

reflections of the Commodore and the French officers being allowed to purchase spirits," &c., &c., as stated in your Excellency's letter of the 4th instant, and with another information with my name attached to it. I say, sir, in this instance he has neither acted openly or honorably to me* ; he has acted, sir, with contempt and disrespect to me as his Commanding Officer. Altho' I was not at head-quarters I might have had the information in two hours.

4. If any officer is allowed to act unnoticed as Mr. Harris has done, there is an end to all discipline, command, and respect which is due to me as his Commanding Officer. I am conscious, when your Excellency considers that part of Mr. Harris's conduct, as surgeon of the Corps† I have the honor to command, you will judge how far he has acted with propriety towards me.

5. I have the honor to enclose the charges against Mr. Harris also those against Ensign and Adj't Minchin,‡ with a letter from the latter.§ I have urged Captain Kemp for an answer to that part of your letter which relates to him, and have the honor to enclose it.

6. I beg now to assure your Excellency that, notwithstanding the unpleasant existing misunderstanding, I shall not relax in any shape, either in my civil or military situations, and shall continue to render every assistance that lays in my power for the welfare of the colony, and to support your authority as the Governor of this territory.

I have, &c.,

W. PATERSON.

[Enclosure No. 21.]

ADJUTANT MINCHIN TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney Barracks, 8th October, 1802.

I am much obliged by the extract which you did me the honor to favor me with from a letter of the Governor.

Minchin
defends
himself.

With respect to His Excellency's allusion, what I have said is truly just and critical, and altho' I feel hurt that such an attempt could be made towards my dishonor, I am more surprized at its cause.

He appeals
to Paterson.

To you, sir, as my Commanding Officer, I now complain of being so unjustly accused, and doubt not but you will afford me an opportunity of convincing you and my brother officers that my veracity is not to be doubted, and that I have not deviated from either the character of an officer or a gentleman.

I have, &c.,

W. MINCHIN,

Ens. and Adj't.

* Marginal note by Governor King.—"Had Col. Paterson been present, he would have known that the information was not concealed, or meant to be so."

† Marginal note by Governor King.—"He was acting then as Naval Officer."

‡ Enclosure No. 25.

§ Enclosure No. 21.

[Enclosure No. 22.]

1802

CAPTAIN KEMP TO LIEUTENANT-COLONEL PATERSON.

9 Nov.

Sir, Sydney, 9th October, 1802.

I received yours this morning, and in answer thereto take the liberty of remarking that in my own opinion it would be very unbecoming me to be carrying tales backwards and forwards on such subjects as the French officers being accused of selling spirits.*

To you, sir, as my Commanding Officer, I beg leave to apologize for any part of my conduct that appears to you to be contrary to the etiquette of the service.

I have, &c.,

ANTHONY FENN KEMP,
Captain of the N. S. Wales Corps.

[Enclosure No. 23.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir, Sydney, 9th October, 1802.

The enclosed two letters I have just received from Mons'r Baudin, to which I annex a translation. The Commodore having furnished me with duplicates, you can retain the originals, which you will observe is the French officers' answer to Capt. Kemp's apology to them.

As you judged it necessary to convene the officers of your Corps to decide on Capt'n Kemp's conduct in that respect, which produced the apology, you will have the goodness to reconvene those officers, and cause to be read to them the enclosed letter, in the original and translation.

I have just received yours in answer to my note of last night. You will observe by the General Orders of this day, that the Court-Martial you desire is ordered for Tuesday next, when the addition of the 6th instant is made to the charges, and that, so far from taking any responsibility on myself, contrary to the meaning you attach to the Duke of York's instructions to you, I refer you to the arrangements I have this day made in consequence of your representation. I also observe Capt'n Kemp's letter to you (by no means satisfactory to me). I wished to be possessed of your opinion as a military officer, whether I can with propriety, as Commander-in-Chief (issuing the warrant for a General Court-Martial), personally prosecute Capt'n Kemp.

The remaining subjects of your letter having been so fully anticipated in my letters to you of the 4th and 6th instants, I must not only refer you to them on every point contained in yours of this date, but also request that you will lay my letter of

* Marginal note by Governor King.—“Then why did Capt'n Kemp take such uncommon pains to substantiate and publicly assert it?”

1802

9 Nov.

the 6th, as well as the 4th, with their respective documents, before the members of the Court-Martial, for which purpose I have returned the charges to have the 6th instant inserted as well as the 4th instant.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 24.]

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

Géographe,

Monsieur le Gouverneur, 16 vendémiaire, an 11.

Captain
Kemp's
letter

La lettre que m'a adressé Monsieur Kemp,* capitaine au régiment de la Nouvelle-Galles du Sud, ayant été communiquée aux états-majors assemblés, j'ai l'honneur de vous transmettre une copie de la réponse qu'ils ont jugés convenable d'y faire, et qui est ainsi conçue :—

A bord du Géographe,

Citoyen commandant, le 16 vendémiaire, an 11.

submitted
to the
French
officers.

D'après vos ordres, j'ai appelé à bord tous les officiers de la division en appuyant le signal d'un coup de canon. Je leur ai communiqué la lettre que vous a écrite Monsieur Kemp, capitaine au régiment de la Nouvelle-Galles.

Indignation
against
Kemp.

Tous les officiers français, persuadés que Monsieur Kemp avoit le premier donné lieu à l'accusation fausse portée contre eux, et avoit employé tous ses moyens pour en fournir des preuves, avoient sentis d'autant plus vivement la déloyauté de ce procédé qu'ils devoient moins s'y attendre de la part d'un officier anglais. Ils ont vu avec plaisir que Monsieur Kemp n'a jamais eu l'intention de porter atteinte à leur honneur. Ils en recoivent l'assurance, parcequ'il entre dans leur principes de ne jamais douter de la vérité d'un officier. Ils eurent désirer que Monsieur Kemp, connoissant mieux la délicatesse des officiers français, n'eut pas en les répétant, accrédité les propos d'un homme obscur qui ne fussent jamais parvenu ni à Monsieur le Gouverneur ni à nous s'ils n'eurent passés par une bouche qui devoit leur donner de la vraisemblance.

French and
English
officers.

Les officiers de l'expédition française sont sensibles aux témoignages d'estime de Messieurs les officiers du régiment de la Nouvelle-Galles, et les assurent que celle qu'ils leur portent en retour ne sauroit être atterré par des torts particuliers.

RONSARD.

FREYCINET aîné.

FREYCINET jeune.

ST. CRIC.

etc., etc., etc.

* Captain Kemp's letter to Commodore Baudin will be found printed as Enclosure No. 8, ante, p. 983.

[Translation.]

1802

COMMODORE BAUDIN TO GOVERNOR KING.

9 Nov.

Sir, Géographe, 7th October, 1802.

The letter sent to me by Mr. Kemp, Captain in the New South Wales Corps, having been submitted to all the officers, assembled, I have the honour to transmit to you the answer they have deemed necessary to make, and which runs as follows:—

Captain
Kemp's
letter

On board Le Géographe,
7th October, 1802.

Citizen Commandant,

In compliance with your orders I have called on board all the officers of the division by signalling for them, and I submitted to them the letter which Mr. Kemp, Captain in the New South Wales Corps, has written to you.

submitted
to the
French
officers.

All the French officers, convinced that Mr. Kemp had been the first to give rise to the false accusation brought against them, and had taken every step to get evidence so as to substantiate it, had resented the more keenly the dishonesty of the whole proceeding, as they never expected it from an English officer. They saw with pleasure that Mr. Kemp never had the intention of doubting their sense of honour, and they accept this assurance, because it is one of their principles never to doubt the word of an officer. They would have preferred that, knowing the scrupulous feelings of French officers, Mr. Kemp should have refrained from repeating the reports of a man quite unknown, which would certainly not have found their way to the Governor, had they not been repeated by somebody who, by his position, could give them some colour of truthfulness.

Indignation
against
Kemp.

The officers
pacified.

The officers of the French expedition feel deeply the tokens of esteem of the officers of the New South Wales Corps, and can assure them that the one they give them in return could not be altered by any individual wrong.

French and
English
officers.

RONNARD.
FREYCINET, sen.
FREYCINET, jun.
SAINT CRIG.
&c., &c.

[Enclosure No. 25.]

ORDER FOR COURT-MARTIAL.

9th October, 1802.

IT being expedient for His Majesty's service that a General Court-Martial should forthwith be assembled, for the purpose of trying John Harris, Esquire, surgeon of the New South Wales Corps, on the following charges, to be exhibited against him by Lieutenant-Colonel William Paterson, commanding the said Corps, viz. :—

Court-
Martial on
Harris.

Charge 1st.—“John Harris, Esquire, surgeon, New South Wales Corps, charged by the Commanding Officer with ungentlemanlike conduct, in accusing Ensign and Adj't Minchin of having advanced a circumstance which Ensign an' Adj't Minchin denies, viz. :—‘That of having informed His Excellency, Governor King, that some of the officers of the Corps had complained of their labouring under hardships in the Commanding Officer's varanda, and in the Commanding Officer's presence.’”

The first
charge.

Charge 2nd.—“For disrespect to his Commanding Officer, in not informing him of a circumstance, ‘as stated in the first

The second
charge.

With the greatest respect to your Excellency's authority, I beg leave to state, as commanding the New South Wales Corps, that the detail of the regiment rests with me alone, and in not noticing this I should be remiss in my duty, in consequence of your Excellency naming the officers for the Court-Martial in your General Orders of yesterday.

I have, &c.,

W. PATERSON.

1808

9 Nov.

Etiquette of the service.

[Enclosure No. 27.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 10th October, 1802.

I have received yours of this morning. From your answer to my question contained in my letter yesterday I can only guess that if you mean it as an opinion it coincides with mine, that it is not consistent for me to prosecute Captain Kemp personally; and as experience has dearly taught me the fallaciousness of deputing another person to prosecute in my stead, having failed in my application to you as Commanding Officer of the Corps on the subject of Captain Kemp, I must represent that officer's whole conduct to an authority from which I hope for that justice I cannot obtain here.

The prosecution of Captain Kemp.

I can assure you, sir, that I had no intention of doing yesterday what I have never attempted—interfering with the detail of the regiment under your command. As it appears wrong to you, I request you will regard it as unintentional, as I thought your being the prosecutor it would be more delicate your not having anything to do with the detail that might on that occasion put in or exclude any officer from sitting. To that error I beg you would impute any seeming impropriety on that head. I believe the only person omitted was Lieut. Brabyn. My reason for it was his being on the Parramatta detachment under Captain Piper, who, being of superior rank to Lieut. Brabyn, I named him. But that anything I have done may not be construed into impeding the course of justice I send you the precept I meant to issue, and have to request you will make such alterations as you may deem proper; and that as many officers as possible may be assembled, I dispense with the officers on my guard attending during the days of the trials.

An unintentional interference with Paterson's privileges.

King defers to Paterson.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 28.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

Sir,

Sydney, 11th October, 1802.

The hitherto well-conducted police of this settlement being now abandoned by the removal of Mr. Harris, it is incumbent on me, and necessary for the welfare of this settlement, that I should charge you with the administration of that department.

The police of the colony.

1802

9 Nov.

Reports to
be made to
Paterson.

You will observe by the General Orders* of this day that every person concerned with the police do make their daily and constant occasional reports to you in the first instance, which you will enquire into; and in all cases where punishments are necessary you will convene the magistrates and report your decision to me if at Sydney; but if I am at Parramatta, or any other out settlement, you will consider yourself at liberty to inflict any punishment under 100 lashes. Any arrangements you may judge necessary to offer for my approbation, and which you may judge conducive for preserving the good order of this settlement, I shall most readily attend to it.

I have, &c.,
PHILIP GIDLEY KING.

[Enclosure No. 29.]

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

11th October, 1802.

Members of
the Court-
Martial.

GOVERNOR KING, in answer to Colonel Paterson's message by Lieut. Hobby, requests the names of the officers in writing for to-morrow's Court-Martial, with the exception of Capt'n Kemp, for the reasons stated in the General Orders of to-day†; of one officer for the command of the Parramatta Detachment, where there are 2,980 convicts and inhabitants; and of Ensign Laycock, if he is not of age to sit at a Court-Martial.

The officer of the guard who does not choose to dine with the Governor is at liberty to quit his guard from 3 o'clock 'till the evening parade.

Members for the General Court-Martial ordered to assemble to-morrow:—

CAPT. RALPH WILSON, President.

CAPTAIN JOHN PIPER. LIEUT. THOS. DAVIES.

LIEUT. THOS. HOBBY. LIEUT. WM. MOORE.

ENSIGN. N. BAYLY. ENSIGN F. BARRALLIER.

F. HOBBY,

Lieut. and Act'g-Adj't, New South Wales Corps.

[Enclosure No. 30.]

DEPUTY JUDGE-ADVOCATE THOMSON TO GOVERNOR KING.

Sir, Sydney, Tuesday, 12th October, 1802.

The Court-
Martial on
Harris and
Minchin.

I applied this morning to your Excellency (with the approbation of Lieut.-Colonel Paterson) to postpone the General Court-Martial which was to have sat this day on John Harris, Esq., Surgeon, and Ensign and Adjutant Minchin, of the New South Wales Corps, at the particular request of the officers who were to compose that Court, and who were of opinion that an explanation might prevent the disagreeable necessity of a Court-Martial, and also, that I myself might have an opportunity of examining more

* Ante, p. 850; the General Order was dated 10th October, 1802.

† Ante, p. 852.

minutely the charges against those officers, the nature of the evidence in support of those charges, and the defence the prisoners meant to advance.

1802

9 Nov.

I have now to inform your Excellency that the efforts of two officers who were selected for the purpose of effecting the explanation required have proved unsuccessful, and, from what I have myself seen, I am clearly of opinion that the charges are so grounded that a General Court-Martial must take place, which I have communicated to Colonel Paterson, who desires me to request your Excellency to put it in orders for the General Court-Martial to sit to-morrow.

No alternative but to hold the Court.

I have, &c.,

JAS. THOMSON,

Officiating Deputy Judge-Advocate.

[Enclosure No. 31.]

LIEUTENANT-COLONEL PATERSON TO MR. THOMSON.*

Sydney, 13th October, 1802.

L'T-COLONEL PATERSON requests Mr. Thomson will deliver to His Excellency Governor King the following message :—

That tho' it appeared to the Colonel that His Royal Highness the Duke of York might see an impropriety in Mr. Harris, surgeon of the New South Wales Corps, holding the situation of Naval Officer, and that it might be contrary to his instructions, yet at the same time there did not appear to him the same impropriety in his doing the duty of a magistrate, and which he could fill without in any way being considered as detaching him from regimental duty ; and as Mr. Harris had already filled that office with great credit to himself and with much benefit to the police of the colony and the good of His Majesty's service in general, the Colonel, as Lieut.-Governor and Commanding Officer of the New South Wales Corps, has to request his Excellency the Governor will reinstate him again in the office of magistrate, but that the Colonel does not ask this from any view of throwing on Mr. Harris any duties which might fall upon himself as L't-Governor.

Paterson asks King to reinstate Harris.

W. PATERSON.

[Enclosure, No. 32.]

PETITION TO GOVERNOR KING.

The most humble petition of the inhabitants of Sydney,—

Respectfully sheweth :—

That they feel it a duty incumbent upon themselves to address you, and represent that, from the first moment John Harris, Esq're, was appointed a magistrate, they have to return him thanks for his assiduity in administering justice, and his unremitting attention to the high situation he held ; his vigilance in detecting vice, and his faithful representation of all such matters

Surgeon Harris as a magistrate.

* James Thomson, Surgeon, was the Deputy Judge-Advocate on the Court-Martial assembled to try Surgeon Harris and Adjutant Minchin.

1802

9 Nov.

Mr. Harris
"always
awake."

His
impartial
performance
of his duties.

A petition
for his
retention.

as came before him. Under his magisterial perfect security in person and property safety, knowing that Mr. Harris was always ready to hear the tale of the voice is, that he administered justice m

Your Excellency's petitioners are inclined in acknowledging the goodness, the rec and impartial decisions of John Harris, Naval Officer; and if they are allowed a that none can exceed that gentleman in Colonial duties entrusted to his care an

The petitioners unanimously join in lency will be pleased to hear thus their John Harris, Esq're, may be still cor capacity to rule over us under your Exce under his directions we have lived happy ane has guarded us in person and prop voice of a few, tho' greater in power t character of a gentleman that we supp to think invulnerable.

That he may not feel the least dimin confidence, but that he may be restor honors you can bestow, we most respe pray, &c.

[Enclosure No. 3]

GOVERNOR KING TO LIEUTENANT

Sir,

Harris's
civil ap-
pointments

Before I answer your written m Thomson, containing your request for M as a magistrate, I have to request bei consider his receiving the rents, assessm committee for managing the Gaol and t tions, as militating against the meaning Royal Highness the Commander-in-Chi all this business is transacted at Sydney of the New South Wales Corps require

I

[Enclosure No. 3]

LIEUTENANT-COLONEL PATERSON

Sir,

Sydney

not
inconsistent
with his
military
duties.

In answer to your Excellency's l holding the different situations therein c that either of them detaches him from will give me great pleasure to find h situations.

[Enclosure No. 35.]

1802

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.

9 Nov.

Sir, Sydney, 16th October, 1802.

I have the honor of answering your written message to me by Mr. Thomson of the 13th inst.

Persuaded as I am and ever have been of the honor, integrity, and unparalleled assiduity of Mr. Harris in the different offices he has filled with your consent and approbation, yet, sir, when I recur to the last paragraph of your first and the third paragraph of your second letters to me of the 8th instant,* and to the first, third, and fourth of yours of the 9th instant,† with my answers thereto; and when I consider the duty of a magistrate may eventually call Mr. Harris to Parramatta or Hawkesbury, which would certainly interfere with his duty as surgeon of the Corps you command, I am sorry, on reflecting over those circumstances, that I cannot consider myself justifiable (without subjecting that officer to censure and myself to experience fresh humiliations on that head), in acceding to your request, and the petition of the inhabitants of this settlement to reinstate Mr. Harris as a magistrate, which office, as you justly observe, he has already filled with great credit to himself, and with much benefit to the police of the colony, and the good of His Majesty's service in general. I have, &c.,

Pateron's
request for
Harris to be
reinstated.

King
declines to
comply.

PHILIP GIDLEY KING.

[Enclosure No. 36.]

PROCEEDINGS OF COURT-MARTIAL.

13th October, 1802.

At a General Court-Martial, held at Sydney, in His Majesty's territory called New South Wales, on the 13th day of Oct'r, 1802, by virtue of a precept under the hand and seal of His Excellency Philip Gidley King, Esq're, Captain-General and Governor-in-Chief in and over the said territory and dependencies, &c.

Court-
Martial on
Harris.

Present :—Captain Ralph Wilson (president), Captain John Piper, Lieutenant Thomas Davies, Lieutenant Thomas Hobby, Lieutenant William Moore, Ensign Nicholas Bayly, Ensign Francis Barrallier (members of New South Wales Corps).

Members of
the Court.

James Thomson, Esq'r., officiating Deputy Judge-Advocate.

The precept for assembling the Court, and also the warrants constituting and authorizing Capt'n Ralph Wilson to sit as President of the Court, and James Thomson, Esq're to officiate as Deputy Judge-Advocate for the occasion, being read, the Court and Judge-Advocate being sworn, John Harris, Esq're, Surgeon of the New South Wales Corps, charged by Lieut.-Colonel William Paterson, commanding the New South Wales Corps, with :

The
President
and Deputy
Judge-
Advocate.

Charge 1.—Ungentlemanlike conduct, in accusing Ensign and Adjutant Minchin of having advanced a circumstance, which

The first
charge.

* Ante, p. 992.

† Ante, p. 994.

- 1802** Ensign and Adjutant Minchin denies, viz., that of having informed
9 Nov. His Excellency Governor King that some of the officers of the Corps had complained of their labouring under hardships in the Commanding Officer's varanda and in the Commanding Officer's presence.
- The second charge.** *Charge 2.*—As stated in the precept and warrants, being withdrawn by the wish of Lieut.-Colonel Paterson and desire of the prisoner.
- The charge being read, and the prisoner asked whether he is guilty or not guilty of the matter of accusation, pleads he is not guilty.
- Paterson as prosecutor.** Lieutenant-Colonel Paterson, being called on to substantiate the charge, produced to the Court some correspondence with the Governor, which he adduces to support the prosecution.
- The prisoner made objections to any written documents or papers being produced in evidence against him.
- Admissibility of evidence.** The Court cleared on the question to deliberate on the propriety of admitting as evidence the written papers, are of opinion, that the written documents produced by Colonel Paterson as prosecutor, should be admitted as the best evidence that can be had.
- Mr. William Neate Chapman, Secretary to His Excellency, being called on and sworn, deposed to the following questions from Lieut.-Colonel Paterson :—
- Documentary evidence.** *Q. 1.*—Examine those depositions, letters, and documents, and say whether they are originals or exact copies of them, as they have either been wrote by you or passed through your hand as the Governor's Secretary ?
- A.*—The letters endorsed on the back No. 1 of the 4th October,* No. 8 of the 6th October,† and No. 9 of the 7th October,‡ to be originals ; and the several despositions, No. 10,§ are true copies.
- Colonel Paterson called.** The Court being cleared, and on opening, required of Colonel Paterson to produce to them such extracts from the papers before the Court, as he may find necessary to substantiate the charge.
- The Colonel produced the following extract from His Excellency's letter of the 7th October,|| viz. :—"Either the Naval Officer or Adjutant Minchin has not been acting with candour, and it rests with you to which of the two you ought to give the greatest credit."
- Secretary Chapman.** Mr. Chapman, being again called in, deposed to the following questions from the prisoner :—
- Q. 1.*—Can you take it on you to say I ever informed the Governor that the officers of the New South Wales Corps had complained to the Lieut.-Colonel of any hardships they laboured under, as stated in his charge against me ?
- A.*—No ; never.

* Ante, p. 977.

† Ante, p. 983.

‡ Ante, p. 984.

§ Ib.

|| Ante, p. 987.

Q. 2.—Did you consider what I said to the Governor as a complaint tending to involve Colonel Paterson in any difficulty whatever, or as an information incumbent on my duty as Naval Officer, which concerns the Governor's General Orders in respect to spirits?

1802

9 Nov.

Examined by Harris.

A.—I conceive it as information incumbent on you to give to the Governor officially as Naval Officer.

Q. 3.—The length of time I have been about the Governor's person, have you ever heard me repeat or give any information respecting any officer whatever to their prejudice?

Harris's relations with other officers.

A.—No; on the contrary, I always observed Mr. Harris studiously avoided using any officer's name, excepting in endeavouring to do him a service.

Q. 4.—Have you not heard the Governor, as well as the Lieut.-Governor, express themselves in terms of high approbation at my conduct as a magistrate, and other offices I have held with their approbation?

A.—Yes; I have heard them both more than once speak to that effect.

The Colonel stated he had nothing farther to bring forward in support of the prosecution.

The case for prosecution closed.

The Court being cleared, and having considered the evidence in support of the prosecution, are of opinion there is no necessity for putting the prisoner to the trouble of making any defence; and it appears to the Court that the charge exhibited against John Harris, Esqr., Surgeon of the New South Wales Corps, is groundless, and do therefore unanimously and most honorably acquit him.

Harris honorably acquitted without any defence.

RALPH WILSON,

Capt., N.S. Wales Corps,

President.

I approve the above sentence of honorable acquittal.

PHILIP GIDLEY KING.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

A bord de la corvette le Géographe, Port Jackson,

16 Nov.

Monsieur le Gouverneur,

le 26 brumaire, an 11.

En partant de cette colonie, je laisse à la nation française l'obligation de vous faire les remerciements qui vous sont dus, comme Gouverneur, pour tout ce que vous avez fait, tant pour nous que pour le plus grand succès de notre expédition; mais c'est à moi de vous témoigner combien votre amitié m'a été et me sera précieuse pour l'avenir, si vous voulez bien me permettre de me rappeler à votre souvenir toutes les fois que l'occasion s'en présentera.

The indebtedness of the French nation to Governor King.

La franchise et la loyauté de vos procédés envers moi ne me laissent pas douter que vous ne m'accordiez la permission que je vous demande, d'autant que les occasions de pouvoir vous rencontrer, après mon départ de ce port, seront vraisemblablement rares;

Baudin and King.

1802
16 Nov. ce sera donc une satisfaction pour moi de correspondre avec vous dans quelques pays que les événements puissent me conduire. C'est, comme vous le savez, le seul moyen que les hommes qui s'aiment et s'estiment puissent employer, et ce sera aussi celui dont nous ferons réciproquement usage, si de mon côté j'ai peu vous inspirer par ma conduite les mêmes sentiments dont la votre m'a pénétré.

J'ai l'honneur d'être, etc.,

[Translation.]

N. BAUDIN.

COMMODORE BAUDIN TO GOVERNOR KING.

On board the corvette Le Géographe, Port Jackson,

16th November, 1802.

Sir,

The indebtedness of the French nation to Governor King.

In leaving this colony, I bequeath to the French nation the duty of offering you the thanks which are due to you as Governor for all you have done, as well for ourselves as for the success of the expedition; but it is for me to assure you how valuable your friendship has been and will ever be to me, if you will allow me to put you in mind of it whenever an opportunity offers itself.

Baudin and King.

The sincerity and honorableness of all your dealings with me leave no doubt in my mind that you will give me the permission I ask for, the more so as the opportunities of my meeting you after leaving this port will be exceedingly rare. It will therefore be a satisfaction for me to correspond with you from whatever country events may bring me to. It is, as you know, the only means which men who love and esteem one another can make use of, and it will be the one we shall reciprocally avail ourselves of if, on your part, I have been able by my conduct to inspire you with the feelings which yours has inspired me with.

I have, &c.,

N. BAUDIN.

GOVERNOR KING TO LIEUT.-COLONEL PATERSON. (King Papers.)

18 Nov.

18th November, 1802.

French occupation of Van Diemen's Land.

GOVERNOR KING's compliments to Lieut.-Governor Paterson. Understanding that he is in possession of some information respecting the intentions of the French nation settling on Van Diemen's Land, requests the Lieut.-Governor to furnish him with what information he possesses on this head, in order that Governor King may take the necessary steps, which he cannot but lament he had not an opportunity of doing before he closed his despatches, this information having but just reached his ears from the Acting Principal Surgeon.

LIEUTENANT-COLONEL PATERSON TO GOVERNOR KING.

The talk of the town.

L't-Col'l PATERSON presents his compliments to Governor King. The conversation was so general among the French officers respecting their making a settlement in the Straits of d'Entrecasteaux that the Colonel could not suppose it was unknown to Governor King, otherways he should have communicated the moment he heard of it, nor did he consider it anything more than commonplace conversation.

Tuesday Morning, 18th November, 1802.

ONE of the officers who spoke of it sent Colonel P. the accompanying charts.

GOVERNOR KING TO LIEUTENANT-COLONEL PATERSON.
(King Papers.)

1802

18 Nov.

Sir, 18th November, 1802.

I have received your note informing me of the general conversation of the French officers respecting making a settlement in the Straits of D'Entrecasteux. Had I ever heard it, I certainly should have required a positive explanation from the French Commodore, and would have taken a vessel up to have preceded any attempts of that kind they might have in contemplation. As I have been kept ignorant of it until those ships' departure, it only remains for me to counteract them. It is therefore necessary that an officer of the rank of Captain, and as many non-commissioned officers and privates as can be accommodated, should be sent by a conveyance that I hope will be able to leave this in seven days, in order to assert His Majesty's claims, and dispossess and remove any party that may be landed there.

The French
in Van
Diemen's
Land.

King's
preventive
measures.

I shall beg leave to retain the chart given to you by the French officers (until a copy can be made) who spoke of the settlement intended to be made.

Possession
retained of
the French
chart.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO COMMODORE BAUDIN.

Sir, Sydney, 23rd November, 1802.

23 Nov.

You will be surprized to see a vessel* so soon after you. You know my intention of sending a vessel to the southward to fix on a place for a settlement, but this has been hastened by a report communicated to me soon after your departure, "that the French intended to settle in Storm Bay Passage, somewhere about what is now called Frederick Hendrick Bay, and that it was recommended by you to the Republic," as a proof of which a chart, pointing out the situation (Baye du Nord), was, as Colonel Paterson informs me, given him a short time before you sailed by a gentleman of your ship. You will easily imagine that if any information of that kind had reached me before your departure I should have requested an explanation; but as I know nothing of it, and at present totally disbelieving anything of the kind ever being thought of, I consider it but proper to give you this information in case the Cumberland should fall in with your ships. The commander of that vessel has my directions to communicate to you the orders he is under.

King sends
after
Baudin.

The
rumoured
intentions of
the French
to found a
settlement.

Myself and family join in the kindest good wishes for your health, and shall long remember the pleasure we enjoyed in your society. We request you will offer our good wishes to Capt'n Hamelin and all your officers.

I have, &c.,

PHILIP GIDLEY KING.

* Governor King sent the Colonial vessel, the Cumberland, under Charles Robbins, master's mate of H.M.S. Buffalo, to Bass Strait. (See his instructions to Robbins of 22nd November, ante, p. 908.)

1802

GOVERNOR KING TO LORD HOBART.

23 Nov.

Sydney, New South Wales,

My Lord,

23rd November, 1802.

Rumoured
settlement
of the
French in
Van Die-
men's Land.

King pro-
tests British
interests in
the Austra-
lian waters.

A few hours after the French ships were out of sight I was informed that some of the French officers during their stay here had informed L't-Col'l Paterson and others that it was the intention of the French to make a settlement in what is called by us "Storm Bay Passage," and by the French "Le Canal d'Entrecasteaux," on the east side of Van Diemen's Land. As I understood Col'l Paterson was in possession of the circumstances I required his information, as I had no other idea on that subject than what I have stated in my marine letter of the 9th instant,* and which proceeded alone from the circumstance of the time they were employed in surveying that part. Col'l Paterson's answer I have the honor to enclose.† I have lost no time in expediting the Cumberland, armed Colonial schooner. She sails this day, and from the arrangements I have made His Majesty's claim to that part of this territory cannot be disputed. Your Lordship will observe by No. 1 that the officer I have entrusted with this expedition is directed to proceed immediately to Van Diemen's Land, which is an instruction I have given him to communicate to Mons'r Baudin if he falls in with him, as I know his intention is to go immediately through Basses Straits, and whatever may be in contemplation it cannot be performed by him. How far he may have recommended it to the French Government I do not know. It seems by Col'l Paterson's information that they do intend it. It is my intention, as soon as the Porpoise arrives, to dispatch her with a small establishment to the most eligible place at Storm Bay Passage, and one at Port Phillip or King's Island. Your Lordship's instructions on these points I shall be glad to receive as soon as possible.

I have, &c.,

PHILIP GIDLEY KING.

LE COMMANDANT EN CHEF BAUDIN AU GOUVERNEUR KING.

23 Dec.

A bord de la corvette le Géographe, Isle King,

Monsieur le Gouverneur, le 3 nivose, an 11

Baudin's
reply to
King.

L'arrivée du Cumberland m'aurait surpris par le contenu de la lettre que vous m'avez fait l'honneur de m'écrire, si M. Roben qui le commande n'avoit par sa conduite fait connoître le véritable motif pour lequel il a été si précipitamment expédié, mais peut-être est il venu trop tard, car plusieurs jours avant qu'il arbor

* King's letter to the Secretary of the Admiralty of 9th November, 1802, was merely a repetition of his letters to Lord Hobart of the same date, and has not therefore been printed.

† Colonel Paterson's answer will be found on p. 1006, ante.

sur nos tentes son pavillon nous avions laissé dans les quatre points principaux de l'isle à laquelle je conserve votre nom des preuves de l'époque où nous l'avons visitée.* 1802
23 Dec.

L'histoire qu'on vous a fait et dont on soupçonne M. Kemp, capitaine au régiment de la Nouvelle-Galles du Sud, être l'auteur est sans fondement. Je ne crois pas non plus que les officiers et naturalistes qui sont à bord puissent y avoir donné lieu par leur discours, mais dans tous les cas vous deviez être bien persuadé que si le gouvernement français m'avoit donné ordre de m'arrêter quelques jours au nord ou au sud de la terre de Dieman, découverte par Abel Tasman, j'y aurois resté, et sans vous en faire un secret. The rumour at Sydney.

Le 17 le Naturaliste a mis à la voile, et doit se rendre en droiture en France.

Malgré toutes mes recherches avant le départ il s'est trouvé trois hommes cachés à bord du Géographe,† cinq autres étoient sur le Naturaliste et trois sur le bâtiment américain la Fanny dont le mauvais temps nous a séparé. J'ai, comme nous en étions convenus, mis sur l'Isle King les huit hommes qui nous concernoient; on leur a donné un peu de pain et quelques vêtements. Vous trouverez ci-joint leurs noms, ou du moins ceux qu'ils ont donnés :— Escapées.

Charles Williams.	Mecquete Donnis.
George Viller.	John Cavenaze.
John Coleman.	James Fline.
James Gibone.	John Honatré.

J'ai l'honneur d'être, etc.,

N. BAUDIN.

[Translation.]

COMMODORE BAUDIN TO GOVERNOR KING.

Sir, Le Géographe, King Island, 23rd December, 1802.

The arrival of the Cumberland would have surprised me by reason of the contents of the letter you did me the honour of writing me, if Mr. Robbins, who commanded her, had not by his conduct made evident the real reason for despatching him so hurriedly; but perhaps he has come too late, as for several days before he hoisted his flag over our tents we had left in prominent parts of the island (which I still name after you) proofs of the period at which we visited it. Baudin's reply to King.

The story you have heard, and of which I suspect Mr. Kemp, captain in the New South Wales Corps, to be the author, is without foundation; nor do I believe that the officers and naturalists who are on board can have given cause for it by their conversation. But, in any case, you can rest well assured that if the French Government had ordered me to remain some days either in the north or south of Van Diemen's Land, discovered by Abel Tasman, I would have stopped there, without keeping my intention secret from you. The rumour at Sydney.

* Note by Governor King:—"If Monsieur Baudin insinuates any claim from this visit, the island was first discovered in 1798 by Mr. Reid in the Marther, afterwards seen by Mr. Black in the Harbinger, and surveyed by Mr. Runny in February, 1802.—PHILIP GIDLEY KING.

† Note by Governor King:—"Most of these found means to go on board the Géographe before she left the island."

1803

23 Dec.

On the 17th the *Naturaliste* made sail, and returns direct to France. In spite of all my watchfulness before departure, three men were concealed on board the *Geographe*, five others being on the *Naturalist* three on the American barque the *Fanny*, which had weathered from us. As it was agreed between us, I put upon King Island the men stowed away with us, giving them some bread and clothes. You find below their names, or at least those they gave:—

Charles Williams.

George Viller.

John Coleman.

James Gibone.

Mecquete Donnia.

John Cavenaze.

James Fline.

John Honatré.

I have, &c.,
N. Bate

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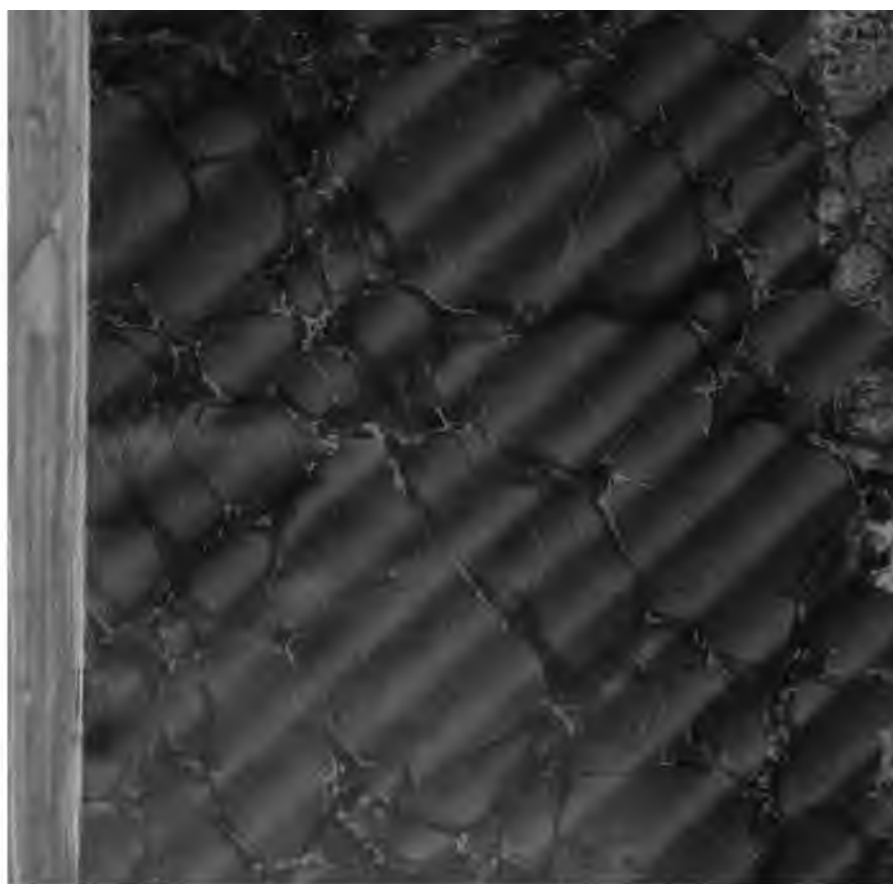
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